

ILLINOIS

GOVERNMENT and INSTITUTIONS

THEODORE L. CARLSON

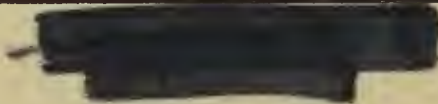


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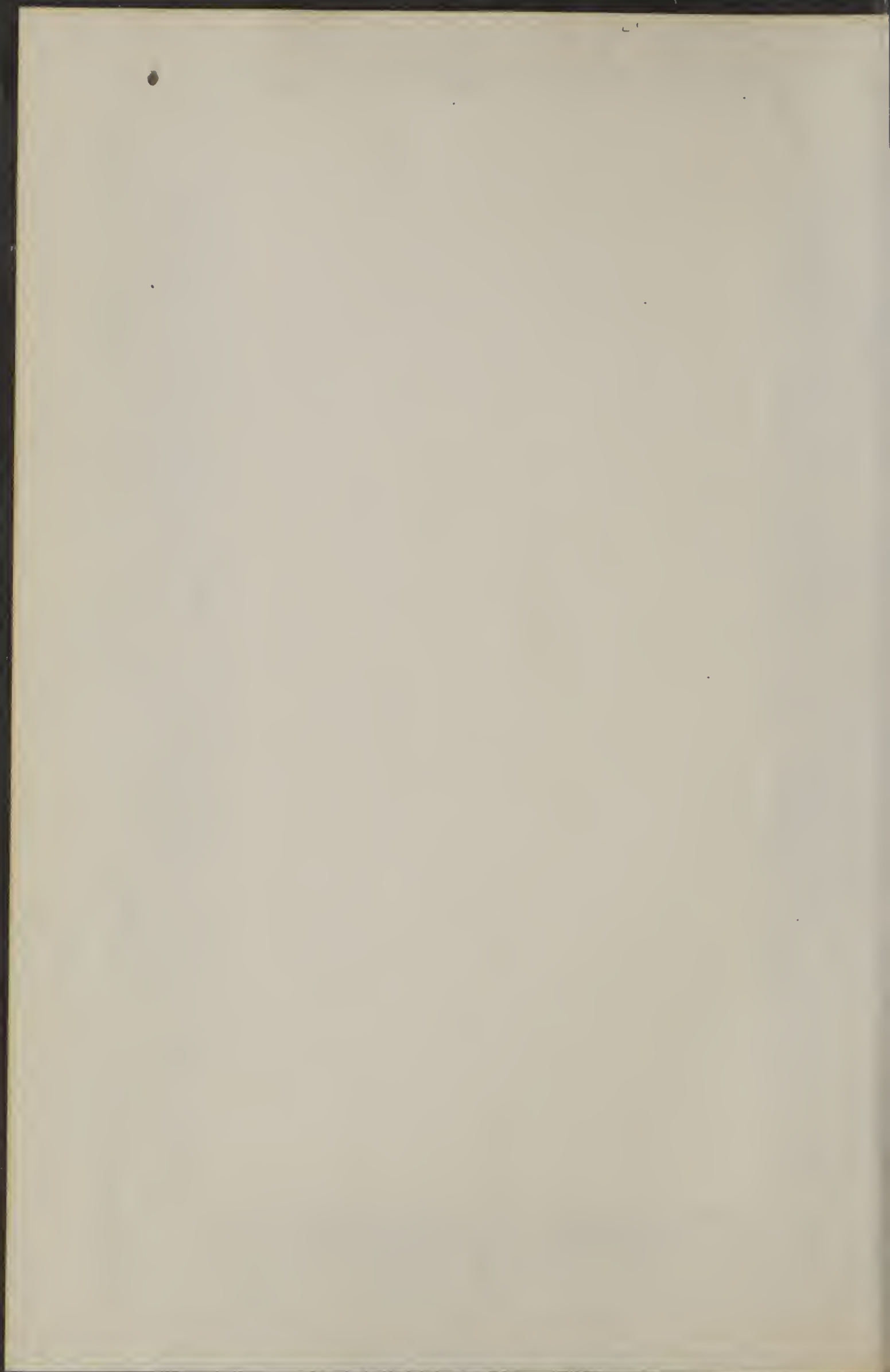
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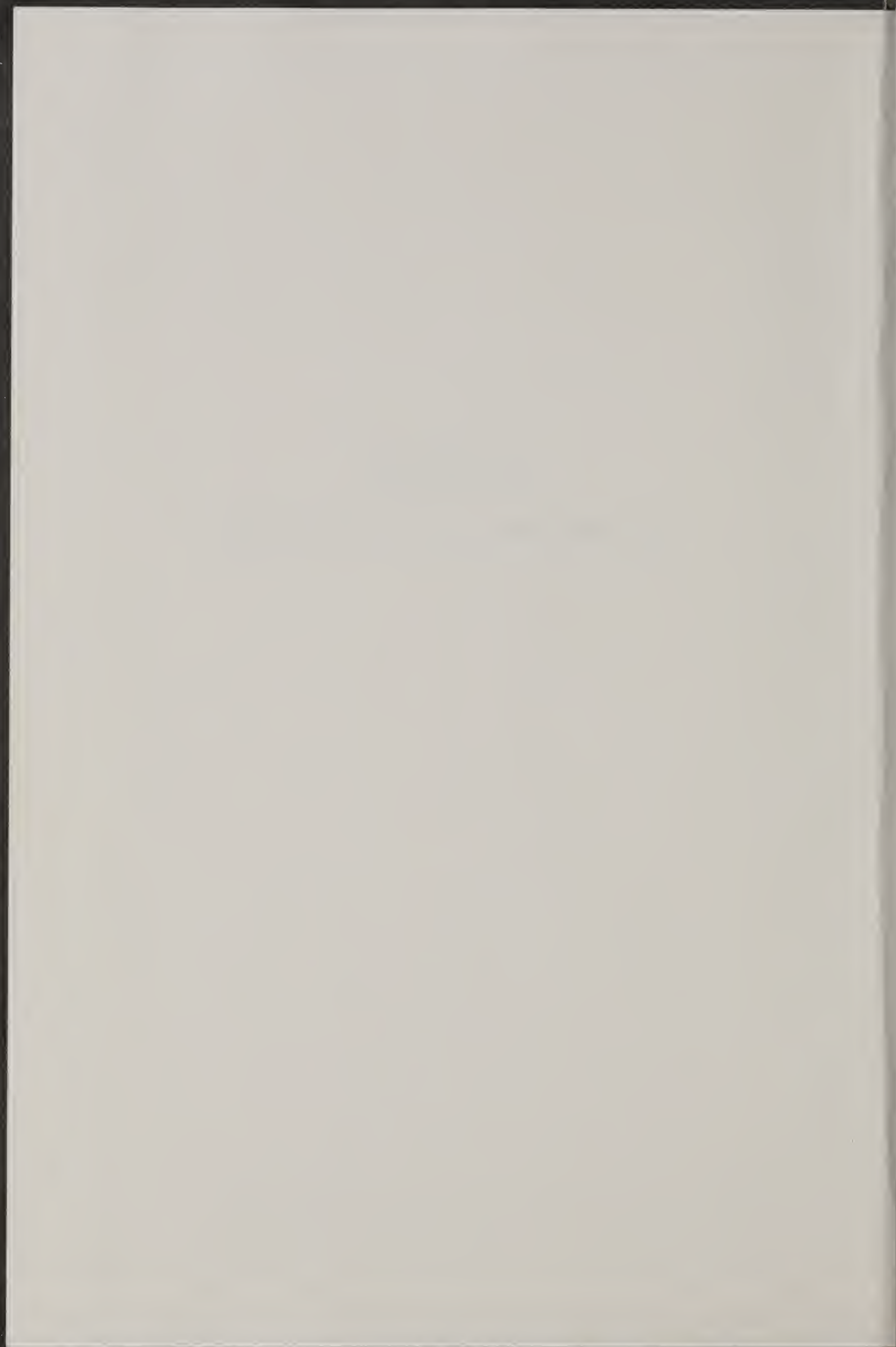
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ILLINOIS

GOVERNMENT and INSTITUTIONS



ILLINOIS

GOVERNMENT and INSTITUTIONS

with Correlative Materials on
The Declaration of Independence
The Constitution of the United States of America
and
The Constitution of Illinois

THEODORE L. CARLSON

1963

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Division of Parks

ABRAHAM LINCOLN

Lincoln spent many of the most important years of his life in Illinois. It was here that, as a young man, he studied and practiced law and first ran for and was elected to public office. It was here also that, gradually through the years, he gained the wide knowledge and experience which later served to make him one of the greatest Presidents of our country.

UNIT I

HOW OUR STATE GREW

CHAPTER I

BRIEF HISTORY OF ILLINOIS

Discovery and Exploration. There is no evidence that any white man visited the territory now comprising the State of Illinois until 1673. The valley of the St. Lawrence River had been explored and settled by the French for over a hundred years. French fur traders and trappers had pushed westward on the Great Lakes as far as the Straits of Mackinac which connect Lake Michigan and Lake Huron. It is probable that some of these men had been in Illinois, but if so, they left no definite account of their journeys.

On May 17, 1673, Louis Joliet and Father Marquette, with a small party from Mackinac, started in search of a great river west of the Great Lakes which they thought might empty into the Pacific Ocean. They went up the Fox River, crossed the narrow portage to the Wisconsin River, and sailed down it to the Mississippi River. They moved down the Mississippi until they reached the area that is now Arkansas. By this time, they were convinced that the Mississippi flowed into the Gulf of Mexico instead of the Pacific Ocean. Having learned from the Indians that the tribes farther south were very fierce and warlike, they decided to turn back.

Instead of returning by the same route, they went up the Illinois River, then up the Des Plaines River, across the narrow portage to the Chicago River, and back to Mackinac by way of Lake Michigan. These explorers covered a considerable portion of Illinois during this expedition.

Illinois Claimed for France. Robert Cavelier, usually known by his title La Salle, also explored Illinois. He sailed down the Illinois River to the Mississippi River, then down the Mississippi to its mouth. There he planted a large cross and claimed all the land drained by

the Mississippi and its tributaries for the King of France. In an effort to hold this territory, La Salle built two forts along the Illinois River — Fort Crèvecoeur near Peoria, and Fort St. Louis near Utica. The first permanent settlement in Illinois was made at Kaskaskia by the French, who came up the Mississippi River from New Orleans.

Transfer to England. The rival claims of the French and English to the upper Ohio valley led to the outbreak of the French and Indian War in 1754. At that time Illinois belonged to France, and most of the settlers were living in or near Kaskaskia in the southwestern



Division of Parks

OLD FORT MASSAC

Mounds mark the foundations of the old fort. The bronze figure is of George Rogers Clark.

part of Illinois and in small settlements on the Ohio and Wabash rivers in the southeastern part. At the end of this war, in 1763, the Treaty of Paris forced France to give England all of her territory on the mainland of North America east of the Mississippi River. On October 10, 1765, St. Ange, the commander of Fort Chartres at Kaskaskia, gave up jurisdiction to the new British commander, and Illinois became a province of Great Britain.

George Rogers Clark and American Supremacy. Less than fifteen years after this transfer of Illinois to Great Britain, the Thirteen Colonies had declared their independence from Great Britain and were fighting the armies of King George III. During that great struggle, the Governor of Virginia decided to conquer the western territory from the British. He sent George Rogers Clark on an expedition with a force of about 150 men. They floated down the Ohio River to Fort Massac (now Metropolis) and then marched overland to Kaskaskia, arriving there on July 4, 1778. The surprised British garrison surrendered without resistance. Clark left a part of his force in charge of Kaskaskia and marched against the other British post at Fort Vincennes on the Wabash River, which he captured on February 25, 1779. Thus, by right of conquest, Illinois had become a part of Virginia.

Illinois a Part of the Northwest Territory. Several of the original thirteen states, by reason of the wording of the charters granted by the King, claimed parts of the land lying north of the Ohio River and east of the Mississippi River. One by one, these states gave up their claims to this territory in favor of the new republic of the United States.

On July 13, 1787, Congress passed the celebrated Ordinance of 1787 forming the Northwest Territory. The Ordinance provided that this territory should be divided into not less than three nor more than five states, and that the western state thereof should be bounded by the Mississippi, Ohio, and Wabash rivers; and by a direct line drawn from the Wabash River and Post Vincennes due north to the territorial line between the United States and Canada. The Ordinance of 1787 also provided that Congress might form either one or two states in that part of the Northwest Territory which lay north of an east-and-west line drawn through the southerly bend of Lake Michigan.

Two other very important provisions of this great Ordinance read as follows:

"There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted.

"Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged."

The great part which Illinois played in settling the slavery question and the fine schools which you now enjoy, show the importance of these two provisions to all of us.

Illinois a Part of Indiana Territory. In 1800, an act of Congress divided the Northwest Territory into two parts, the eastern portion becoming the State of Ohio, and the western portion the Indiana Territory. The



Division of Parks

FORT DEARBORN

The original fort, built in 1803 near the mouth of the Chicago River, was burned by the Indians in 1812. This view is of a replica which was constructed for the 1933 Century of Progress Exposition at Chicago.



Indiana Territory included not only the present State of Indiana, but also all of the territory west to the Mississippi River. The northern portion was practically unsettled by white men, and the boundary lines were drawn as far north as the Canadian line. Thus, Wisconsin, more than half of Michigan, and Illinois were included in the Indiana Territory.

Illinois Becomes a Territory. In 1809, Congress divided the Indiana Territory into the State of Indiana and the Territory of Illinois. Ninian Edwards was appointed to be the first Governor of this new Territory of Illinois.

Illinois Becomes a State. On April 18, 1818, Congress passed the Enabling Act, which allowed Illinois to become a state, provided that it should have not less than 40,000 inhabitants. The people were counted, and as there were a few more than that number, Illinois was admitted on December 3, 1818, as the 21st state in the Union. The first Governor was Shadrach Bond.

Boundaries. The Constitution of Illinois fixes the boundaries as they were set forth in the Enabling Act of 1818. The western boundary was the middle of the Mississippi River. Whether a boundary extends to the middle or edge of a stream is sometimes important in matters relating to taxation, the ownership of property, or the right of an officer to arrest a criminal. Illinois extends only to the low-water mark on the northwestern shore of the Ohio River instead of the middle of the river, and Kentucky owns the bed of the river. This point is of some importance in relation to the large railroad bridge near Cairo.

The Illinois line follows the middle of the Wabash River as far north as the place where a line drawn due north from Vincennes last leaves the river and then follows a line due north to the northwest corner of Indiana. From this point the line extends east to the middle of Lake Michigan, then north in Lake Michigan to the parallel of latitude $42^{\circ} 30'$. The boundary then follows this parallel west to the middle of the Mississippi River.

It was first decided to make the northern boundary line run to the south end of Lake Michigan, but through the foresight of our delegate in Congress, Nathaniel Pope, it was placed at latitude $42^{\circ} 30'$, or about 60 miles north of the southern bend of the lake. The land thus added to the State is now a wealthy and important part of it

and includes the great city of Chicago. This gave Illinois an outlet on Lake Michigan and attached it in commercial interests and sentiment to the north in the period of the Civil War.

The Three State Capitals. The first capital of Illinois was Kaskaskia on the western border of the State. This city at the junction of the Kaskaskia and Mississippi rivers was the State capital from 1818 to 1820. Later the Mississippi River flooded the point on which the town was situated and the portion formerly occupied by buildings. The town itself was moved further toward the center of the island thus formed.



Division of Parks

LINCOLN'S HOME, SPRINGFIELD

Lincoln lived here from 1844 to 1861. This is the only home he ever owned.

The second capital, Vandalia, was located nearer the center of population at the point where the third principal meridian crosses the Kaskaskia River. It remained the capital of the State from 1820 to 1839.

As the settlements moved northward and the region around Lake Michigan was settled, the capital was moved again, in 1839, to Springfield. Abraham Lincoln was in the Legislature at that time and used his influence to move the capital to Springfield. Since it is well situated near the center of the State, Springfield has remained the capital.

Constitutions. The first constitution of Illinois was adopted in 1818 by a convention which met at Kaskaskia. This constitutional convention was composed of 33 delegates, representing the 15 counties then comprising the State. The largest part of the population was distributed in the southern part of the State.

The delegates to this convention were elected by the people. The constitution which they drafted, when accepted by Congress, became the fundamental law of the State without further action by the people. This constitution was very brief, and many of its provisions were adopted from the constitutions of the older states, particularly New York, Kentucky, Ohio, and Indiana.

The Constitution of 1818 did not interfere with the status of the slaves already in the State, but it did prohibit any further extension of slavery. In 1824 there was much agitation for a constitution which would be even more favorable to slavery. After a bitter struggle between the pro-slavery and anti-slavery forces, it was decided by a vote of 6,640 to 4,972 to let the Constitution of 1818 remain unchanged. In this struggle, Governor Edward Coles was a leader of the forces in favor of keeping Illinois a free state.

In 1848, the people adopted a new constitution, framed by a convention which met at Springfield. This constitution was a great improvement over the Constitution of 1818. It restricted the power of the Legislature in borrowing money, chartering banks, and appointing judges, and increased the powers of the Governor. The power of the people was increased, as they now were permitted to elect many officers who had previously been appointed.

In 1862, another constitutional convention was held at Springfield. The draft of the constitution which they submitted to the people

was not adopted. On December 13, 1869, still another constitutional convention met at Springfield. This convention submitted the present constitution to the people, who ratified it at a special election held on July 2, 1870. This has been the fundamental law of our State for almost ninety years.

Although a decided improvement over the previous Constitution, the Constitution of 1870 still contained too many details which were of only temporary importance. The rapidly changing conditions of the twentieth century transformed Illinois from a predominantly agricultural state to one more highly industrialized. The consequent shifts in population from the country to urban centers and the many new ways of making a living and acquiring wealth all created a need for efficient governmental machinery that could deal with the many new social and economic problems. Unfortunately, the Constitution of 1870 made it very difficult to provide the necessary changes in legislative reapportionment, taxation, or reorganization of government by individual amendments. In 1922, a new constitution, providing many changes, was submitted but the voters rejected it. A proposal for a constitutional convention was rejected by the people in 1934.

The "Gateway" Amendment. Up to 1950, for amendments to be adopted, the Constitution had required that a majority of the electors voting at the election must vote for the proposed amendments. Since many voters often neglected to vote on amendment proposals when they were voting for officials, it was very difficult to secure a sufficient number of voters for the adoption of an amendment. Before 1950, only seven amendments had been adopted.

In 1950, the "Gateway" amendment was passed. This amendment provided that future amendments might be adopted by either a majority of the electors voting at the election or by two-thirds of the voters voting on the proposed amendment. It also permitted the General Assembly to propose amendments to as many as three articles of the Constitution at the same session rather than to only one article as had previously been provided by the Constitution. This makes it easier for the voters to amend the Constitution. Since the adoption of the "Gateway" amendment five of ten proposed amendments have been approved by the voters.

COMPLETION TEST

On a separate sheet, copy the following statements, filling in the blanks with the correct words or dates:

1. Exploring in the year 1673, and were probably the first white men to pass through the territory now comprising the State of Illinois.
2. The first permanent settlement in Illinois was made at by the who came up the Mississippi River from
3. The Illinois territory was transferred from France to at the close of the War, in the year
4. During the Revolutionary War, Kaskaskia and Fort Vincennes were captured by troops from under the leadership of
5. In, Congress made Illinois a part of the Northwest Territory.
6. Two important provisions of the Northwest Ordinance of 1787 were the prohibition of and encouragement of
7. In 1800, the Northwest Territory was divided into two portions, the eastern portion becoming the State of and the western portion being organized as the Territory of
8. In 1809, the Indiana Territory was divided into two portions, the eastern portion becoming the State of and the western portion being organized as the Territory of
9. Illinois was regularly admitted as a State on
10. Four bodies of water form the greater part of the boundaries of Illinois. These are,, and
11. The first capital of Illinois was In 1820, the capital was removed to where it remained until At that time the capital was removed to, where it has since remained.
12. Our present constitution was adopted by the people on July 2,
13. Amending the Constitution was made less difficult after the adoption of the amendment.

CHAPTER II

ILLINOIS TODAY

Illinois contains approximately 56,400 square miles, an area a little larger than that of England or Greece. Its greatest distance from north to south measures 385 miles and from east to west 218 miles. Its nickname, The Prairie State, is well chosen because Illinois is one of the most level of all states in the nation.

The northern part, lying between Lake Michigan and the Mississippi River, is largely rolling terrain with small lakes. Central Illinois is very flat, while Southern Illinois is very hilly due to the extension of the Ozark Mountains into this region. The average elevation for the entire State is about 600 feet.

Climate. The climate of the State is a continental type characterized by a wide range in temperature and abundant rainfall. Illinois extends from about $37^{\circ} 30'$ to $42^{\circ} 30'$ north latitude and so the temperature varies enough from north to south to cause notable differences in weather conditions affecting crop growth and development. The average growing season varies from 211 days in the extreme southern part of the State to only 160 days in the north. The average rainfall ranges from 43 inches in the south to 34 inches in the north.

Population. Although Illinois ranks only twenty-fourth in size among the states of the Union, it ranks fourth in population, chiefly because Chicago is so large. It is the second largest city in the nation. Chicago has over 35 per cent of the more than 10,000,000 inhabitants in the State. Peoria and Rockford are the only other cities with populations over 100,000. Other important cities with over 50,000 people are Springfield, East St. Louis, Evanston, Decatur, Cicero, Joliet, Aurora, Oak Park, Skokie, Waukegan, Berwyn, and Rock Island.

Agriculture. Because of its great natural resources, Illinois has become one of the wealthiest states in the Union. The average per



Melander, Chicago

CHICAGO IN 1831



Chicago Park District

CHICAGO TODAY

capita income of approximately \$2,600 ranks it eighth among the states. Throughout its history, agriculture has been an important source of wealth. By 1870, Illinois led all other states in the production of wheat, corn, and in the value of its livestock and ranked second in the output of hogs.

Although other states have taken the leadership in the production of specific crops, Illinois today ranks third among the states in the total value of its farms (land and buildings) and in the value of its agricultural products (almost \$2,000,000,000). Almost 86 per cent of its total land area is in 155,000 farms which average 196 acres each. The average value of Illinois land in 1961 of over \$300 per acre is almost three times the national average of land values.

The chief agricultural product of Illinois is corn which accounts for about 50 per cent of the total value of farm field crops. However, wheat, oats, barley, rye, hay, and truck vegetables are also grown in large quantities. Illinois ranks first in the production of soy beans, producing one fourth of the total United States crop. Soybeans have become very important in recent years, not only as a food, but also for the manufacture of plastics. The principal processing centers of this important crop are located in Decatur and surrounding area.

Livestock production also provides an important source of wealth. The State ranks third in the total value of livestock produced and second in the production of swine. Illinois marketed 2,000,000 head of cattle from 38 states and thousands of sheep from 24 states in 1961.

Northern Illinois is one of the nation's leading dairy producing areas. The State is the leading producer of Swiss cheese, providing one third of the national output; it is fourth in total cheese production and fifth in the production of ice cream.

Extending across the southwestern part of the State is the fruit belt. Here peaches and apples are produced in large quantity. Almost all of the farming area of Calhoun County is devoted to apple orchards, making it the most important apple-producing county in the State and one of the leading areas of its kind in the nation.

Illinois ranks sixth in gross income for chickens and eggs and high in baby chicks, supplying them to many states. The production of turkeys and hatching eggs has become increasingly important.

Farming as carried on in Illinois is a highly skilled business re-

quiring the use of modern machinery and scientific research. Ninety-nine county soil testing laboratories, serving 101 counties, have been established in the State. The University of Illinois is noted for its extensive research in soils and soil fertility. Illinois farmers account for one-third of all the soil testing work being carried on in the United States and lead all states in the application of rock phosphate and limestone to the land. No other region in the world surpasses Illinois in up-to-date farming methods.

Mining. Many people are unaware that Illinois ranks eighth in the production of minerals. The total annual value of its production of minerals amounts to approximately \$615,000,000. More than one-half of the area of Illinois is underlaid with bituminous (soft) coal. Consequently, Illinois ranks fourth among the states in the production of coal. These vast coal reserves are the largest of any state and certainly assure a high production for the future. In the northern part of the State where strata of coal are shallower and closer to the surface, extensive strip mining operations are utilized to mine it. In the southern area where deeper and thicker veins are found, pit mining is the general rule. The largest coal mine in the world, Orient No. 2, is near West Frankfort.

Coal continues to run a close second to oil and gas in dollar value among the State's mineral resources. Underlying most of southern Illinois are huge reserves of oil which has made the State a leading producer for over fifty years. Today Illinois ranks eighth among the leading states in oil production.

The production of many other minerals, clay products, and building materials provides more fields for wealth and employment. Illinois produces more than one-half of the Nation's fluorspar, a product not only in great demand as a flux in steel manufacture, but one finding ever-expanding markets in the chemical industry, in which it is used for refrigerants, insecticides, aviation gasoline, plastics, and development of atomic energy. Thus fertile soil, abundant water, and rich mineral deposits all combine to provide sources of wealth and income to large numbers of people in the State.

Transportation. Lying in the heart of the great central valley of the North American continent, Illinois has become the focal point of the trade routes. Twenty-two trunk lines as well as seventeen terminal, industrial and belt railways provide a railroad network unequalled

by any other region of the United States or the world. The Chicago switching district alone contains more miles of track than are found in the mainline systems of most states.

A large tonnage of agricultural products, raw materials, and heavy manufacturing goods move by barges up and down the Illinois Waterway, the Mississippi River, and on Lake Michigan. Illinois harbors handle more traffic annually than the Panama Canal. The completion of the St. Lawrence Seaway has made Chicago a world port.

Over 500 truck and bus lines use 14,000 miles of primary roads and 92,000 miles of secondary roads. An 187-mile tollway connects Illinois with Indiana and Wisconsin. Air transport uses 63 heliports and 125 commercial airports with terminals for 18 principal world air lines.

Manufacturing. With its rich resources, excellent transportation facilities and advantageous location, the Prairie State was destined to become a great industrial state. The huge supply of coal has made possible the economical production of electrical power to turn the machines. In the development of industries, Illinois also takes her place as one of the leading states, and ranks fourth in total value of manufactured products.

Meat packing, printing and publishing, manufacturing agricultural and electrical machinery and appliances, producing steel, operating foundries and machine shops, refining petroleum, and making furniture are the State's chief industries. Rockford ranks second nationally as a producer of machine tools. Peoria is a distillery center and produces heavy road equipment. A nuclear research laboratory is located near Joliet and the Dresden Nuclear Power Station is near Morris. Illinois is a leading processor and packer of meats because of a favorable position to country-wide transportation, and plenty of grain for fattening cattle shipped into the State. Chicago's cattle and grain markets are the world's largest. The East St. Louis National Stockyard leads all markets in the sale of hogs.

Labor. The transformation of Illinois from a purely agricultural to an important industrial state is clearly seen by the employment statistics. Although bigger and better crops are being raised on the farm, fewer people are needed to produce them. Today, only seven per cent of the people are engaged in agriculture whereas thirty-two per cent are employed in manufacturing.

At the outbreak of the First World War, when relatively unrestricted immigration came to an end, twenty per cent of Illinois' six million inhabitants were of foreign birth. Germans represented the largest number but many Englishmen, Irishmen, and Scandinavians, as well as people of other nationalities found their way to Illinois. These immigrants played an important part in developing the rich resources which have made Illinois one of the most prosperous states of the Union. Situated at the crossroads of the nation, its ribbons of steel and concrete, built to span the State, have brought together the farm, the mine, and the factory. Only through the cooperation of the farmer, the laborer, and the employer has all this been accomplished.

COMPLETION TEST

On a separate sheet, copy the following statements, filling in the blanks with the correct words or dates:

1. Illinois contains an area of approximately and a population of
2. The largest city in Illinois is and ranks in size in the United States.
3. The average annual rainfall varies from in the southern part to inches in the northern part of the State.
4. The chief source of wealth throughout the history of Illinois has been
5. Although is the most important farm crop, Illinois ranks first in the production of
6. The two most important sources of mineral wealth in Illinois are and
7. Because of its excellent location and transportation facilities, the city of is known as the "Hub of the Nation."
8. Illinois ranks among the states in the Union in manufacturing.
9. Chicago has the greatest and market in the world.
10. Since 1900, more people earn their living working in than in

UNIT II

HOW OUR STATE IS GOVERNED

CHAPTER III

STATE GOVERNMENT — THE LEGISLATIVE DEPARTMENT

SEPARATION OF POWERS

The State government of Illinois is divided into three departments:

1. The *Legislative*, which makes the laws.
2. The *Executive*, which is responsible for seeing that the laws are faithfully carried out.
3. The *Judicial*, which applies the laws and decides whether or not they are in harmony with the Constitution.

This division of the work of our State government into three departments is known as the *separation of powers*.

No person or group of persons in one of these departments of government has the right to exercise any power which belongs to any other department, unless the Constitution makes a special provision for a transfer of some power from one department to another. The Constitution grants the Governor the right to veto a bill passed by the Legislature, thus giving him a legislative power. The House of Representatives is given the power to impeach any officer for not performing satisfactorily the duties of his office; the Senate sits as a court to try cases of impeachment. Thus the General Assembly has a judicial power. The courts have the right to appoint certain officers to assist in enforcing the laws, thus exercising an executive power. This system, which permits one department to restrain the actions of another, is known as the *check and balance* system.

THE LEGISLATIVE DEPARTMENT

The legislative or lawmaking power of the State is vested in the General Assembly, which consists of two separate organizations, the

Senate and the House of Representatives. The upper house is usually composed of fewer members who are elected for a longer term of office. Thus, the upper house is designed to act as a balance wheel and prevent the enactment of hasty legislation. As the members



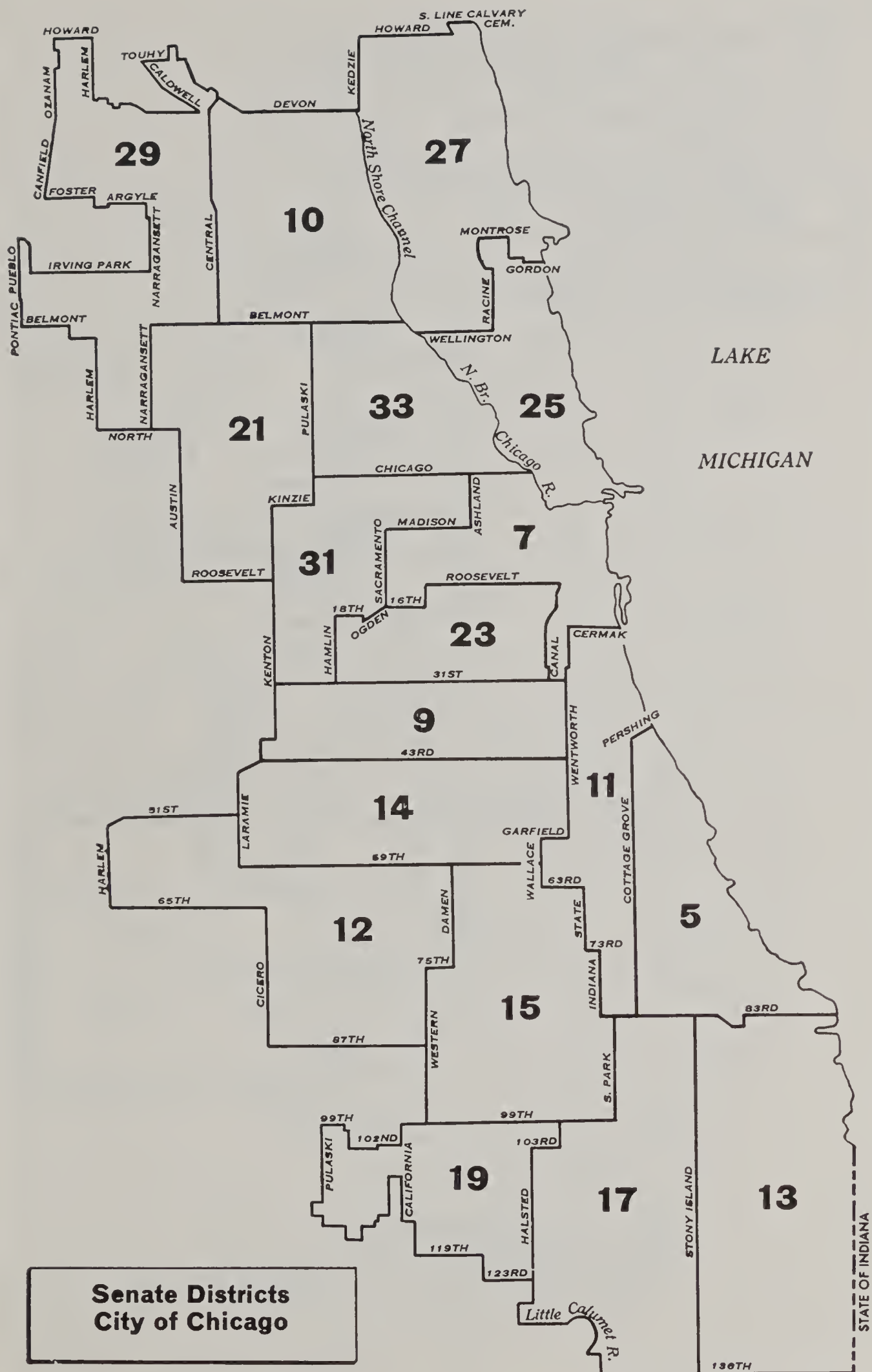
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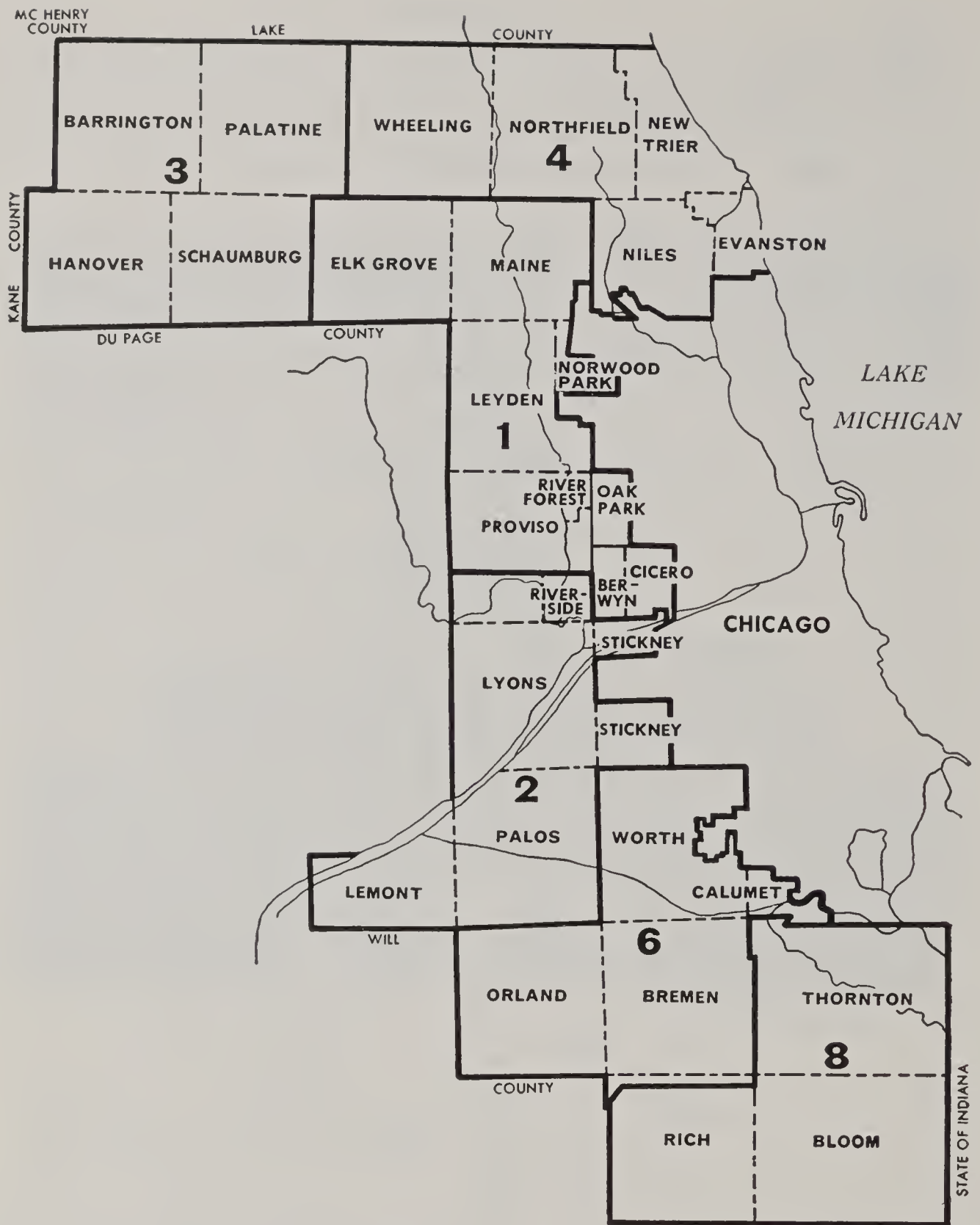
ILLINOIS STATE CAPITOL, SPRINGFIELD

The Capitol is an outstanding example of public building architecture of the post-Civil War period.

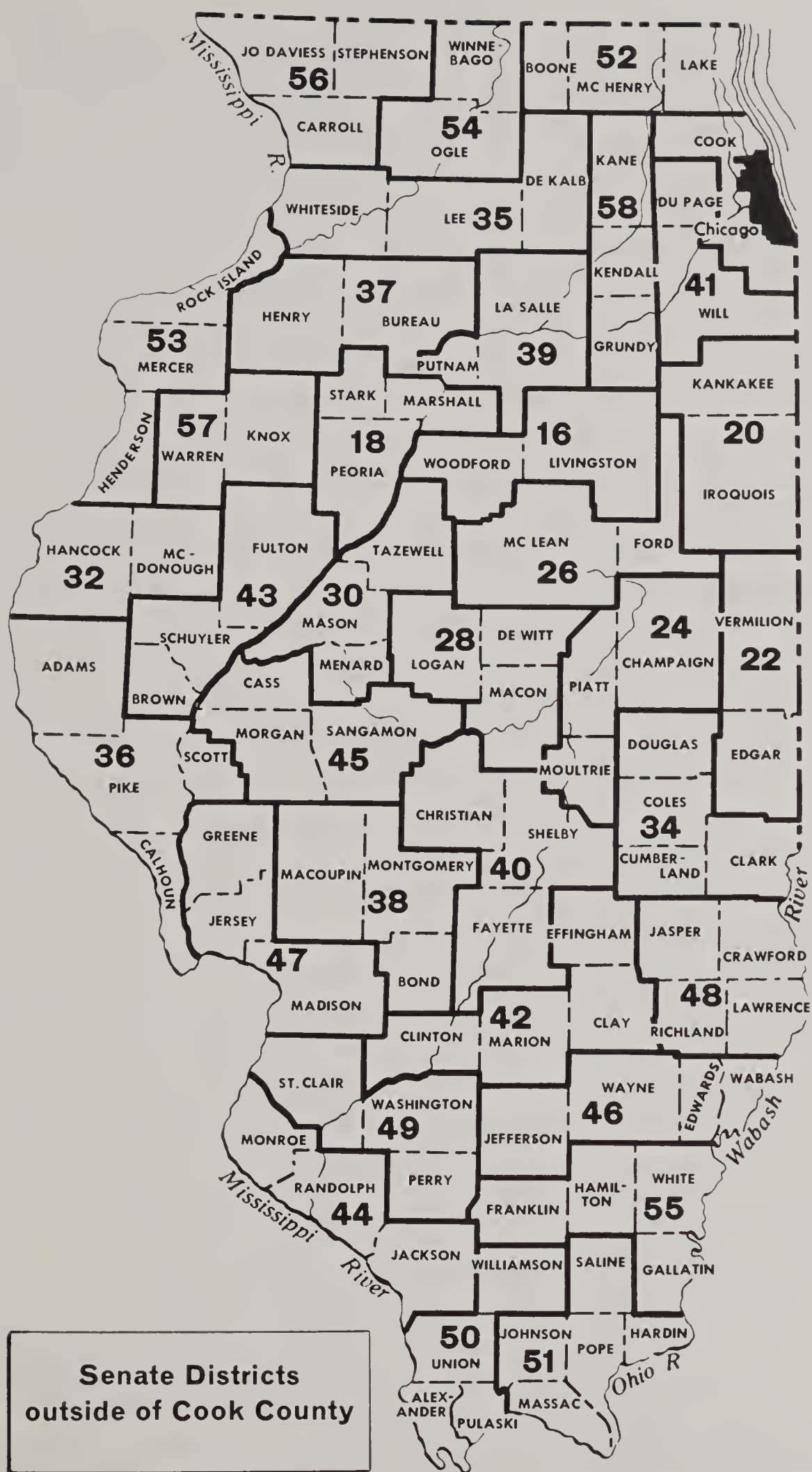
of the lower house usually are elected for a shorter term and must go more frequently to the voters for re-election, they are expected to reflect more closely the changing views of the people.

The Reapportionment Compromise. In accordance with the Constitution of 1870, the State was divided into 51 senatorial districts which were to be reapportioned every ten years by the General Assembly. However, no reapportionment was made after 1901 because the people living outside of Cook County were afraid that the rapid growth of the population of the Chicago area would enable the senators and repre-





**Senate Districts
Cook County outside of Chicago**



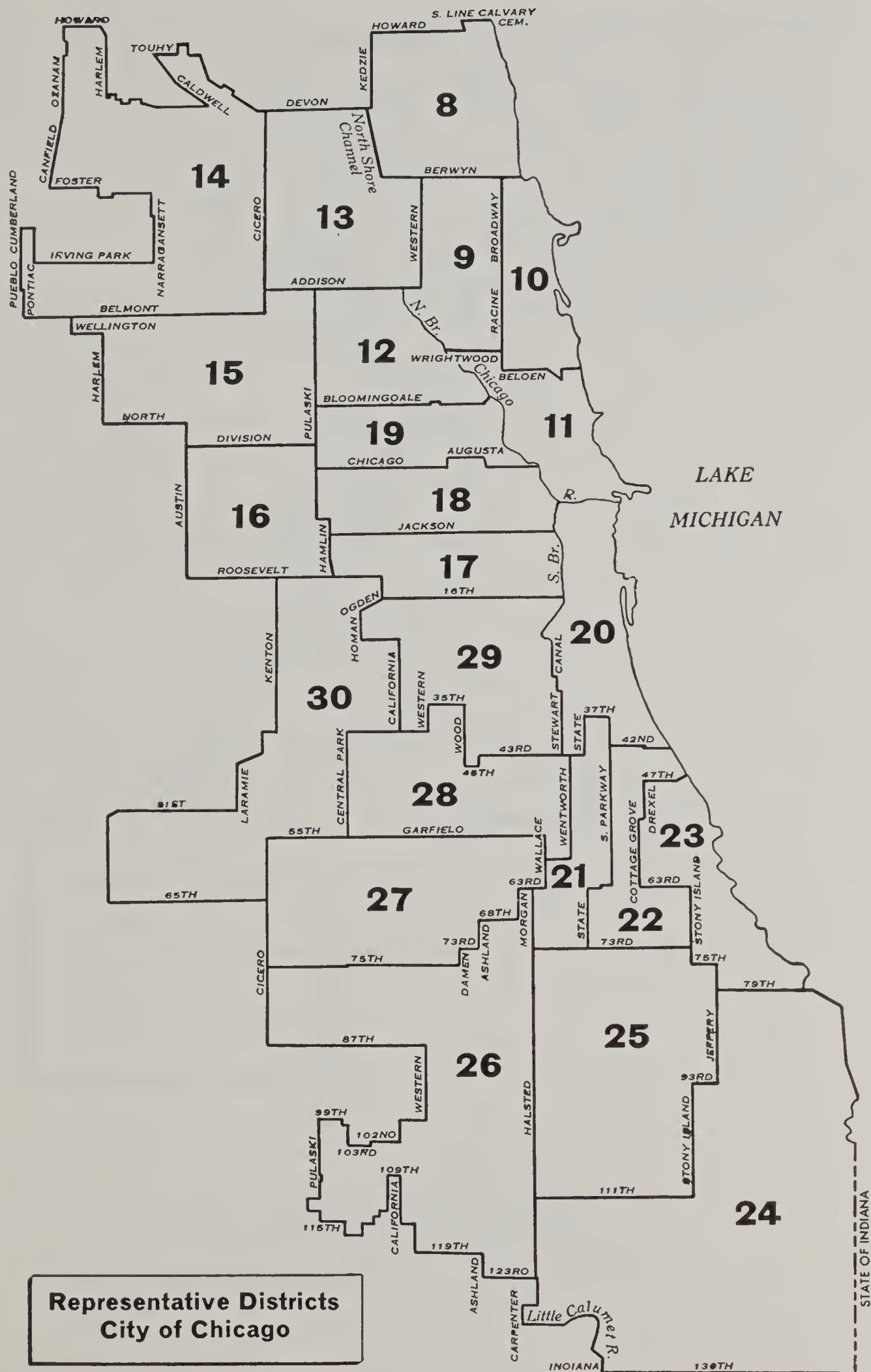
sentatives from Cook County to control the State Legislature. In 1950, of the total population of 8,712,176 in Illinois, almost 52 per cent of the people lived in Cook County. In order to meet the requirements of the Constitution for reapportionment, the eleventh amendment was adopted in 1954 giving Cook County control in the House but permitting downstate to continue to control the Senate.

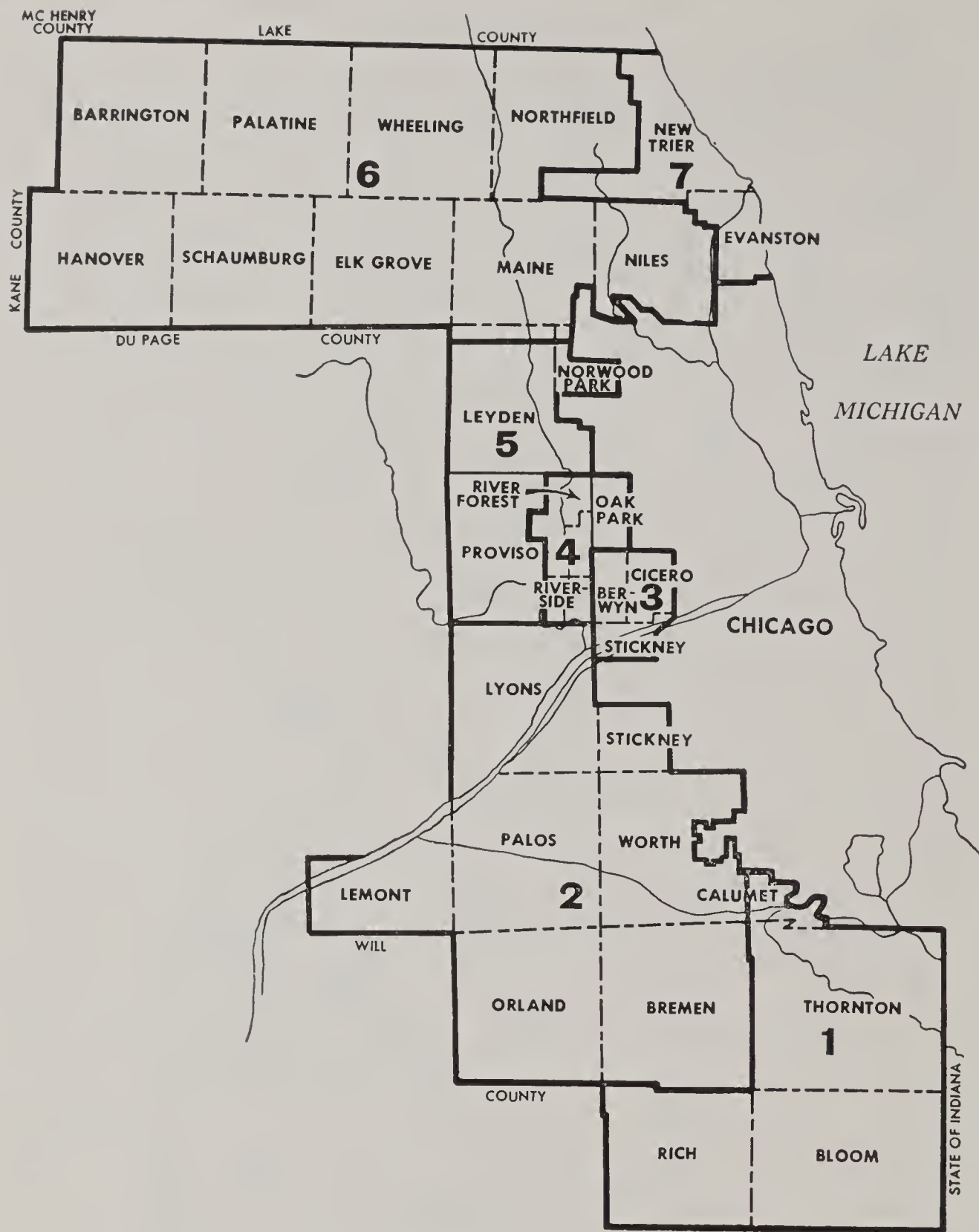
Senatorial Districts. The Constitution now provides for the State to be divided into 58 senatorial districts. Twenty-four of these are in Cook County, eighteen within the present corporate limits of Chicago and six in the remainder of the County. Thus, the remaining 101 counties of the State have 34 senatorial districts, giving them downstate control of the Senate. All senatorial districts must be formed of adjoining and compact territory bounded by county lines, and contain as nearly as practicable an equal number of inhabitants.

Representative Districts. The Constitution of 1870 provided for the election of three members to the House of Representatives from each senatorial district. Under the Constitutional amendment of 1954, state senators and representatives are elected from separate districts. In the 1955 redistricting, Cook County was divided into thirty representative districts of which twenty-three are in the present corporate limits of Chicago. The remaining 101 counties of the State are divided into 29 representative districts — or a total of 59 districts for the State as a whole. Thus Cook County has control in the House electing 90 of the 177 representatives.

Redistricting. The Constitutional amendment of 1954 provided that the General Assembly redistrict the State in 1963 and every ten years thereafter for the purpose of electing state representatives. If the General Assembly fails to do this by the first day of July, a commission of ten members shall be appointed by the Governor to redistrict the State. This committee will be composed of five members from each of the two leading political parties. If the commission is unable to reach an agreement on redistricting within four months after appointment, the senators and representatives scheduled for election will be nominated and elected from the State at large. This newly elected General Assembly must then undertake the task of redistricting. If it fails to do so, the entire process will be repeated until redistricting and reapportionment is finished.

This reapportionment amendment also provided that in future





**Representative Districts
Cook County outside of Chicago**

redistricting, the 59 representative districts shall be divided proportionately among (1) that part of Cook County which is within the present corporate limits of Chicago, (2) that part of Cook County which is outside Chicago, and (3) the remaining 101 counties of the State, as nearly as may be, according to the population of each of these three divisions with reference to the total population of the State.

The amendment further provides that the representative districts shall be formed of adjoining and compact territory, and outside of Cook County, bounded by county lines, unless the population of any county entitles it to more than one representative district. At the present time no county outside of Cook County includes more than one representative district.

In order to have each district contain as nearly as possible an equal number of inhabitants, a representative ratio is used. For example, the population of Illinois according to the 1960 Federal Census was 10,081,158. This number would be divided by 59 to find the number of inhabitants for each district. The resulting number, which would be 170,867, is called the representative ratio. No representative district may contain less than four-fifths of the representative ratio.

THE SENATE

One senator is elected from each senatorial district for a term of four years. In order that only part of the members composing each session of the General Assembly may be newly elected, the districts are divided into two classes; those bearing even numbers and those bearing odd numbers. The even-numbered districts elect their senators in "presidential years" (as 1960, 1964, 1968), and the odd-numbered districts elect their senators on "off years" (as 1962, 1966, 1970). The election for members of the General Assembly is held on the Tuesday next after the first Monday in November in the even-numbered years.

Qualifications. The qualifications for a state senator are: (1) he must be at least 25 years of age; (2) he must be a citizen of the United States; (3) he must have been a resident of Illinois at least five years, and (4) he must have been a resident of the territory forming his district for two years immediately preceding his election.

In addition to the above qualifications the constitution makes the following requirements:

“No judge or clerk of any court, Secretary of State, Attorney General, State’s Attorney, recorder, sheriff, or collector of public revenues, members of either house of Congress, or persons holding any lucrative office under the United States or this State, or any foreign government, shall have a seat in the General Assembly: Provided, that appointments in the militia, and the offices of notary public and justice of the peace shall not be considered lucrative. Nor shall any person holding any office of honor or profit under any foreign government, or under the government of the United States (except postmasters whose annual compensation does not exceed the sum of \$300), hold any office of honor or profit under the authority of this State.

“No person who has been, or hereafter shall be, convicted of bribery, perjury, or other infamous crime, nor any person who has been or may be collector or holder of public moneys who shall not have accounted for and paid over, according to law, all such moneys due from him, shall be eligible to the General Assembly, or to any office of profit or trust in this State.”

Presiding Officer of the Senate. The presiding officer of the Senate is the Lieutenant Governor. He does not vote except in the case of a tie. The Senate also chooses a majority leader who acts as a President pro tempore. He presides in the absence of the Lieutenant Governor and acts as Governor during the absence of both the Governor and Lieutenant Governor from the State.

HOUSE OF REPRESENTATIVES

Three members of the House of Representatives are elected from each Representative district. They hold office for two years and are elected every even-numbered year.

Qualifications. The qualifications for representatives are the same as those for State senators, except that they need be only 21 years of age. It is not likely that a man 21 years of age will have the acquaintance with people or the experience in public affairs to enable him to be elected as a representative.

Minority Representation. In the election of representatives in Illinois there is a feature not commonly used in other states which is known as *minority representation*. By this system each voter is allowed to

cast three votes for representatives in the General Assembly. He may cast one vote for each of three candidates, he may cast one and one-half votes for each of two candidates, or he may cast three votes for one candidate.

The usual working of the minority representation plan is as follows: In a district that gives a Republican majority at all elections, the Republicans will probably nominate two candidates and the Democrats one. All of the candidates will be elected, as most of the Republicans will cast one and one-half votes for each of their two candidates, and most of the Democrats will cast three votes for their one candidate.

In a district where the Democrats and Republicans are about equally divided, each party will probably nominate two candidates. If one of the Republican candidates is not very popular, the Republican voters will probably cast their three votes for their other candidate. If the two Democratic candidates are strong, the Democratic voters will divide their three votes between their two candidates. This will result in the election of two Democrats and one Republican.

If one party has more than three times as many voters as any other party, it can nominate three candidates and elect them by voting one vote for each candidate. It is unusual to find a district in which there is such an overwhelming majority for one party, but it sometimes happens.

This plan for minority representation was placed in the Constitution of 1870, with the idea of giving every party of considerable size the opportunity to have a representative in each district of the State. In practice, this plan has not worked as well as its originators expected. If the majority party in each district nominates two candidates and the minority party nominates one, all those who are nominated are elected. A poor candidate, being one of three nominated, would be elected, while he would probably be defeated if he had to compete against a strong candidate.

Presiding Officer of the House of Representatives. The presiding officer of the House of Representatives is called the Speaker and is elected by a majority vote of the members. He is a member of the House of Representatives and therefore has a vote on all questions. The position of Speaker of the House is a very important one and requires a very fair man with a knowledge of parliamentary law.

SESSIONS OF THE GENERAL ASSEMBLY

Time and Place of Meeting. The sessions of the General Assembly commence at noon on the Wednesday after the first Monday of January in the year next after the election of members. For instance, the members elected on November 8, 1960, took office when the General Assembly session began on January 4, 1961.

The General Assembly meets in the State Capitol. Each house has a large chamber and various committee rooms and offices.

Rules of Procedure. In the case of judicial and executive offices, the court may be called upon to determine who was elected and who is qualified; however, it is the general rule in legislative bodies for each house to determine its own rules and judge the election returns and the qualifications of its members.

Each house chooses its own officers. The Lieutenant Governor, as presiding officer of the Senate, is the only exception. These officers are: the President pro tempore of the Senate; the Speaker of the House; a Secretary (or Clerk) and his assistants who keep the record of the proceedings, call the roll, and perform other clerical duties; a Sergeant-at-arms (or Doorkeeper) and his assistants who keep order, look after the comfort of the members, and regulate the admission of visitors to the galleries; a Postmistress; and an Enrolling and Engrossing Clerk.

A member of either house may be expelled for misconduct by a vote of two-thirds of the members elected to the house of which he is a member. The expulsion of a member is a rather unusual occurrence.

Each house keeps a journal of its proceedings which is printed and which is very important in showing whether the laws have been passed according to the constitution. Some large law libraries have a set of these journals running back many years.

Oath of Office. Members of the General Assembly take the following oath when they take their seats in the legislature:

"I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Illinois, and will faithfully discharge the duties of Senator (or Representative) according to the best of my ability; and that I have not, knowingly or

intentionally, paid or contributed anything, or made any promise in the nature of a bribe, to directly or indirectly influence any vote at the election at which I was chosen to fill the said office, and have not accepted nor will I accept or receive, directly or indirectly, any money or other valuable thing, from any corporation, company or person, for any vote or influence I may give or withhold on any bill, resolution or appropriation, or for any other official act."

This oath is administered to the members of the General Assembly, usually to each house in a body, by a judge of the Supreme Court or a Circuit Court of the State.

Privileges and Restrictions. Among the privileges of the members of the General Assembly are:

1. In all cases except treason, felony, and breach of the peace, they are free from arrest during the sessions of the legislature and in going to and returning from the same.

2. For any speech or debate in either house they shall not be questioned in any other place.

On the other hand they have the following restrictions:

1. They shall not receive an appointment from the Governor or the General Assembly to any civil office within the State during the term for which they are elected.

2. They shall not be interested in any contract made by the State or a county, authorized by any law passed during the term for which they are elected, or within one year thereafter.

Pay of Members. Members of the General Assembly receive a salary of \$6,000 a year and \$50 per session for stationery, newspapers, postage, and other incidental expenses. They also receive ten cents a mile for traveling expenses to and from the sessions of the General Assembly. However, no more than one trip a week may be charged to this expense.

As most of the members are professional or business men and cannot allow their practice or business to remain entirely without their attention for a long space of time, they usually return to their homes for the week-ends. They are then able to talk with the people in their district and assure themselves as to the public sentiment in their locality in regard to bills pending before the legislature.

Legislative Agencies. Several permanent agencies have been created by the General Assembly to assist it in carrying out its duties. The

Legislative Reference Bureau helps legislators draft bills and amendments which they wish to propose. It publishes a digest of bills which have been introduced and shows the progress of each bill.

The Legislative Council furnishes information to the General Assembly on problems which seem to require legislative action.

The Budgetary Commission reviews appropriation requests and recommends to the Governor and General Assembly the amounts which should be appropriated.

The Legislative Audit Commission serves the General Assembly to check the legality and propriety of State fund expenditures.

The Commission of Intergovernmental Cooperation secures cooperation of the Illinois State Government with other government units, and exchanges research data with other states.

Other permanent committees include the School Problems Commission, the Motor Vehicle Laws Commission, the Commission to Visit and Examine State Institutions, the Cities Commission, the Mental Health Commission, and the Pension Laws Commission. These committees, as well as temporary ones, are invaluable to the General Assembly in helping it to provide good laws.

HOW A BILL BECOMES A LAW

A bill is drawn either by a member of the Legislature or by some citizen or body of citizens who believe it should be passed. When a law has passed, it is called an act; but as long as it is a proposed law, it is called a *bill* or a "bill for an act."

The heading of a bill usually begins with "a bill for an act," followed by a short description of the contents of the bill. This is called the *title*. The bill must commence: "Be it enacted by the People of the State of Illinois, represented in the General Assembly." Then the bill sets forth in careful language what is proposed to become a law. The bill should then be sent to the Legislative Reference Bureau, which will see that it is written in the correct legal form.

At the early part of the day's session of each house, the Clerk (or Secretary) calls the roll of members for the introduction of bills. When a member's name is called, he rises and states that he has a bill or bills to introduce. One of the pages then comes and gets the bills and carries them to the presiding officer. Each bill is then read,

usually by title (first reading), and referred to the proper committee for consideration before it is again presented to the House. It is then printed with lines some distance apart, and each line is numbered so that the various phrases can be readily referred to and amended (or changed), and each member gets a copy.

The Constitution provides that each bill shall be read three different days in each house. This is to prevent a bill from being rushed through without consideration. If a bill is long, the clerk reads it through very rapidly. As each member has a printed copy before him, it is his own negligence if he does not know what is contained in the bill.

The committees of the General Assembly are very important. The number on a committee varies from less than ten to over sixty. Often when neither house of the Legislature is in session, their committees are hard at work on the consideration of some of the bills which have been referred to them. These committees often call in authorities from outside of the Legislature to give opinions and testify on facts related to bills that are being considered.

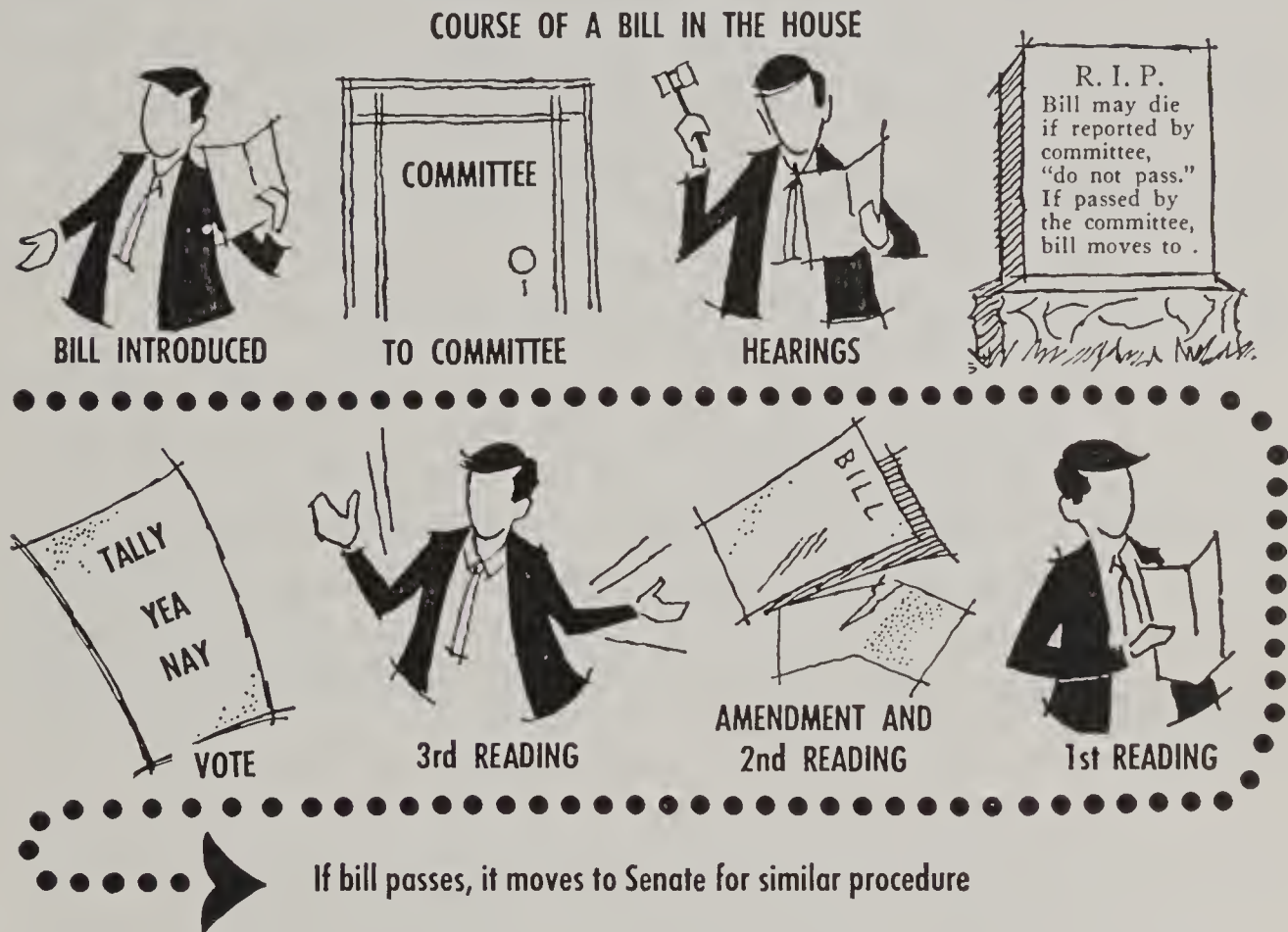
If a bill meets the approval of a majority of a committee, either as it is introduced or with any changes that the committee sees fit to make, it is reported back to the house with the recommendation that it be passed. If a committee does not wish a bill to pass, it can "pigeon-hole" it, or allow it to remain without any recommendation.

When a bill is reported back to the house by the committee, if the house wishes to advance it, it is read the second time. If the members wish to make any amendments, they are usually made at this time. After this second reading, a bill is carefully written in what is expected to be its final form. The bill then comes back, and is read and acted upon the third time. The Clerk calls the roll, and if a majority of the members elected to that house vote "yea," the bill is considered passed and is then sent to the other house for action.

In the other house, it is printed and read three times, the same as before; and if it passes that house also, it is signed by the Speaker of the House and the presiding officer of the Senate and sent to the Governor.

A bill that has passed one house is generally apt to pass the other house more easily than if it were a new bill, although in some cases a bill may be passed by one house and defeated in the other. If the

two houses fail to agree on some parts of an important bill, they appoint a joint committee to consider the matter and adjust the differences. The bill is then usually passed by both houses in the form recommended by the joint committee.



When a bill has passed both houses of the General Assembly, it is presented to the Governor, who can do one of four things with it:

1. If he approves it, he will sign it and then it becomes a law.
2. If he disapproves of all of it, he will return it to the house in which it started, together with his objections. This is known as a *veto*. If the bill is then passed in each house by two-thirds of the members, it automatically becomes a law without the Governor's signature.

3. If a bill is not returned by the Governor to the General Assembly within ten days (Sundays excepted) after it is presented to him, it becomes a law without his signature. If the General Assembly adjourns before the ten days have expired, the Governor must file the bill, together with his objections, with the Secretary of State within ten days after such adjournment of the General Assembly or the bill will become a law.

4. Bills making appropriations of money are required to state the amounts in distinct items and the Governor may approve part of them and disapprove others. The items approved become law and the items disapproved do not become law unless they are passed over the Governor's veto as previously described. This action was thought necessary because there are often a great many appropriations in one bill, some of which the Governor might approve and others disapprove, and it might make him hesitate to disapprove of any if it caused all of the appropriations to fail. On the other hand it might prevent many appropriations of which the Governor approved if he had to veto the whole bill in order to veto some items.

Laws take effect on the first day of July next after they are passed. If there is an emergency requiring a law to take effect at once, this can be met by stating in the act that there is an emergency and passing the law by a two-thirds vote of the members elected to each house. Generally, the Legislature holds its sessions during the first part of the year and adjourns during May or June. Hence, the laws usually take effect soon after the adjournment of the General Assembly.

SPECIAL RESTRICTIONS IN MAKING LAWS

The Constitution has placed many restrictions on the Legislature in regard to the laws it passes. Among the most important of these restrictions are the following:

1. No act shall include more than one subject and that shall be expressed in the title.

This requirement was made so that no objectionable appropriation or provision could be hidden away within a long bill and passed without the knowledge of the members.

2. No *special* laws may be passed which relate to certain subjects. Among the twenty-three prohibited subjects are: divorce; locating or changing county seats; court practice; incorporating cities, towns, or villages; common schools; rate of interest on money; protection of game or fish; and laying out, opening, altering, or working roads or highways. All laws relating to such subjects must be *general* and apply to all people or all local governments alike.

REVIEW QUESTIONS

1. Name the three departments of our State government and give the general duties of each department.
2. What is meant by the *separation of powers* and the *check and balance system*? Why are each of them important?
3. Why did the founders of our State provide for two houses in the General Assembly?
4. What compromise was made in the reapportionment of Illinois in 1955?
5. In what senatorial district do you live? representative district? Who are your present Senators and Representatives in the General Assembly? Where do they live?
6. What is the *representative ratio*? How is it computed?
7. A citizen of Springfield moved to Bloomington in McLean County on September 1, 1961. He was 42 years of age. Would he have been eligible to run for State Senator in the 26th senatorial district at the November election in 1962? Why?
8. Suppose in one representative district there are about 100,000 Republicans and about 30,000 Democrats. If the Republicans, under the plan of minority representation, distribute their votes by giving each of their three candidates one vote, and the Democrats each give their candidate three votes, how many representatives can the Republicans elect? Would your answer be the same if there were 80,000 Republicans and 50,000 Democrats? Why?
9. Describe the steps by which a bill becomes a law.
10. Can a bill become a law without the Governor's signature? Explain.
11. Appoint a member of your class to write to the Legislative Reference Bureau, Springfield, Illinois, and ask them to send your class a copy of one of the recent bills in its first printed form.

CHAPTER IV

STATE GOVERNMENT — THE EXECUTIVE DEPARTMENT

The executive department of the State consists of the Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, Treasurer, Superintendent of Public Instruction, and Attorney General.

Term of Office. These officers each hold office four years, their terms beginning on the second Monday of January next after their election.

The State Treasurer cannot be elected two terms in succession. This provision is made so that there can be a frequent audit of the books. No treasurer can conceal any misuse of the public funds for a long time, as a new treasurer taking office would not wish to give a receipt for any money which he did not actually get from the preceding treasurer. This provision applies to County Treasurers also.

Time of Election. The Governor, Lieutenant Governor, Secretary of State, Auditor, and Attorney General are elected on the Tuesday next after the first Monday in November of Presidential election years. The Superintendent of Public Instruction and the Treasurer are elected on the same Tuesday in the "off years."

Qualifications. The Governor and Lieutenant Governor must be at least thirty years of age and have been citizens of the United States and residents of this State for five years preceding their election. The Auditor of Public Accounts, Secretary of State, Superintendent of Public Instruction, and Attorney General must be at least 21 years of age, citizens of the United States, and residents of the State for at least one year. These officers are not eligible for any other office during their incumbency.

THE CHIEF EXECUTIVE

- Duties of the Governor.** The Governor is the head of the State government. Among his many duties the following are the most important:
- ✓ 1. He shall see that the laws are faithfully executed or enforced.
 - ✓ 2. At the beginning of each session of the General Assembly and at the close of his term of office, he shall send a message to the General Assembly, giving it information as to the condition of the State and recommending such measures as he shall deem expedient.
 - ✓ 3. The Governor may on extraordinary occasions call a special session of the General Assembly. In the call for a special session, he must state the purpose for which the Assembly is to be convened, and the Assembly is not permitted to transact any business except that for which it is called together. Sometimes special circumstances

*Illinois Information Service*

EXECUTIVE MANSION, SPRINGFIELD

The home of Illinois Governors since 1855, this Mansion is situated on a beautiful knoll in the heart of the city.

make it very necessary that the General Assembly shall meet and consider some matter of legislation at once, particularly in the case of a war or some other great public event.

- E. 4. The Governor, with the advice and consent of a majority of the senators, appoints all officers whose offices are established by the Constitution or created by law, and whose appointment or election is not otherwise provided for. Among the more important officers appointed by the Governor are the Directors of the Civil Administrative Code Departments, the members of the Civil Service Commission, the members of the State Court of Claims, the Trustees of the State Historical Library, the Trustees of the Teachers' Pension and Retirement Fund, the head officers of the National Guard and Naval Reserve, and the managing officers of the various State Hospitals, Penitentiaries and other institutions. Hence, we can see that the Governor controls the general policies of the State institutions through the appointment of the chief officers of those institutions.
- E. 5. The Governor has the power to remove any officer he has appointed in case of incompetency, neglect of duty, or wrongdoing in office.
- J 6. The Governor has the power to grant reprieves, commutations, and pardons, after conviction, for all offenses, subject to regulations provided by law. He does not have authority to grant paroles. This authority is given to the Division of Correction in the Department of Public Safety.
- E. 7. The Governor is Commander in Chief of the Military and Naval Forces, except in the case of a national emergency when they are called into the service of the United States. He may call out the forces to help him execute the laws, suppress insurrection, and repel an invasion.

The permanently organized units of the State consist of the Illinois National Guard and the Naval Militia. This is formed of young able-bodied men, who like military training and who feel it their duty to give their services to the public in this manner. The National Guard is very useful in case of riots or in other cases where an organized force is suddenly needed. It also forms a valuable reserve force to supplement the United States Army in case of war.

- L 8. The Governor's power to veto bills has already been explained in connection with the General Assembly.

Salary of the Governor. The Governor receives a salary of \$30,000 a year and, in addition, is given the use of the Executive Mansion in Springfield.

OTHER EXECUTIVE OFFICERS

Lieutenant Governor. The main duty of the Lieutenant Governor is to preside over the Senate in the same manner as the Vice-President of the United States presides over the United States Senate.

The Lieutenant Governor acts as Governor under the following circumstances: (1) in the event that the Governor dies; (2) in case the Governor is removed from office by the General Assembly; (3) if the Governor fails to qualify for his office; (4) if the Governor resigns; (5) during the Governor's absence from the State; and (6) for other disability of the Governor.

In case the Lieutenant Governor cannot act in place of the Governor, the next in line of succession is the President pro tempore of the Senate. After the President pro tempore of the Senate, the next in line of succession is the Speaker of the House of Representatives.

The Lieutenant Governor of our State receives a salary of \$16,000 a year.

Auditor of Public Accounts. The Auditor of Public Accounts performs important duties concerning the finances of the State. He keeps the accounts which the State has with the other states, with the United States, and with all public offices, corporations, and individuals. He draws warrants (checks) on the Treasurer to pay the salaries of the employees of the State, and also to pay bills for materials and supplies purchased by the State. In addition, the Auditor keeps accurate and detailed accounts of all State offices, departments, commissions and boards. In brief, he serves as watchdog of the people's money.

He also keeps accounts and pays out funds of the various State retirement systems and State educational and rehabilitation programs. The Auditor is required to give a bond for \$500,000 and to make frequent reports as to the business of his office.

The Auditor of Public Accounts receives a salary of \$20,000 a year.

State Treasurer. The State Treasurer receives and keeps all State funds and pays them out upon the warrant of the Auditor. No

money can be drawn from the Treasury except as provided for through appropriation by law. Since he frequently has several million dollars of State money on deposit in State and National Banks, he is required to give a bond of \$1,000,000 to guarantee the safety of this money*

The State Treasurer's salary is \$20,000 a year.

Secretary of State. The Secretary of State keeps a record of the official acts of the Governor, affixes the State Seal to all important State documents, keeps a record of the acts of the General Assembly, and has charge of the State buildings in Springfield. He supervises the distribution of all of the laws of the State and the journals of the General Assembly. He serves as administrative head of the Illinois State Library and Archives. One important duty of his office is the issuance of automobile licenses, titles and drivers' licenses.

The Drivers' License Law attempts to control drivers whose records demonstrate an unfitness to drive — those who can not, or will not, learn to observe proper traffic safety practices. A driver control file in the Secretary of State's office records the history of every Illinois driver from the time a license is first issued. On this record are posted such items as convictions of traffic violations, certain types of accidents, hearings, reports from doctors and law enforcement agencies, and any other information pertaining to the driving record. Whenever a driver's record approaches a point where some action should be taken, a warning letter is sent, advising him that he is in danger of losing his license should more accidents or violations of law occur. Thus, the law helps to protect most drivers, since it will curb the few who are constantly endangering the lives of all.

The Secretary of State receives all nominating petitions, certifies the names of candidates for State and district offices to County Clerks, has charge of all election returns and of preparing the forms of ballots to be sent to the 102 County Clerks of the State, and issues certificates of election. The control of securities and the licensing of corporations are other important duties of the Secretary of State.

*A surety bond, like those given by the Treasurer and Auditor, is a pledge given by a group of responsible men or by an insurance company that they will replace any deficit in the funds of the officer designated in the bonds. As most officials are honest, it is very seldom that the signers of the bond are called upon to make up any deficit in any funds.

The duties of the Secretary of State of the United States are largely concerned with our dealings with foreign governments. The Secretary of State of Illinois does not have duties of that nature. His duties are largely those of keeping the records and property of the State in a proper manner. He is required to give a bond for \$100,000.

The salary of the Secretary of State is \$20,000 a year.

Attorney General. The Attorney General is the chief law officer of the State. It is his duty to conduct the law business of the State both in and out of the courts. He is the legal advisor of all State officials and departments of the State government. He advises the Governor as to the constitutionality of bills passed by the General Assembly. He must represent the People of Illinois in the Supreme Court in all cases in which the People or the State are interested, including all criminal cases and is empowered to protect consumers against frauds. He is consultant and advisor to all State's Attorneys of the counties.

The Attorney General receives a salary of \$20,000 a year.

Superintendent of Public Instruction. The Superintendent of Public Instruction is the head of the school system of the State. He keeps all the records relating to the schools, has general charge over the public schools of the State, consults with experienced and practical teachers as to the best manner of conducting the common schools, advises and assists the County Superintendent of Schools, and gives legal advice about points relating to the school laws of the State. He also grants teaching certificates to those qualified to receive them. He administers the State financial aid to the schools, the special education program, the pupil transportation program and the school lunch program. He is required to give a bond of \$25,000 because various school funds pass through his office.

The Superintendent of Public Instruction receives a salary of \$20,000 a year.

CIVIL ADMINISTRATIVE CODE

In 1917 the General Assembly passed an act known as the Civil Administrative Code to systematize the various departments of the State government. Under this act, all of the departments are run in somewhat the same way, thus making it possible to establish a budget system and in general to work more efficiently.

The need for a law arose from the impossibility of the Governor to keep in touch with the operation and needs of the many boards, departments, and commissions which were formed to meet the increasing tempo of American life brought about by World War One.

To ease conditions, nine chief executive departments were created, each supervising many minor divisions. These department heads are the only ones directly responsible to the Governor. In other words, the Governor supervises over all boards, divisions, and commissions, but no longer listens to reports from the hundreds of divisions, but only to the comprehensive reports from the heads of the Code Departments. Many states have adopted this system.

Each Department has a director who has a number of assistants and other officers. The chief department officers are named by the Governor, but many of the employees are under the Civil Service Act and secure their positions through competitive examinations. These Departments vary in size from about 30 persons in the Department of Aeronautics to about 15,000 in the Mental Health Department.

The Mental Health Director receives \$27,000 a year; the Public Health director, \$20,000 and assistant director, \$15,000; the Aeronautics director, \$12,000 and assistant director, \$8,000. All other directors receive \$15,000 and assistant directors, \$12,000.

There are fifteen Code Departments in our State government:

1. The Department of Aeronautics assists in promoting a State-wide system of airports, and co-operates with political subdivisions of the State and people engaged in aeronautics. It encourages and develops aeronautics by establishing rules and regulations consistent with Federal rules and regulations and those of other states.

2. The Department of Agriculture enforces all agricultural laws of the State and gives advice, encouragement, and State aid to all branches of agriculture, 4-H Clubs, vocational agricultural organizations, fairs and exhibits. It carries on extensive programs for the prevention of animal and plant diseases, for inspection of grain and seeds, and for protection of consumers through food and dairy inspection and the checking of weights and measures. The 22 State farms operated by the Departments of Mental Health, Public Safety, and the Illinois Youth Commission are directed by this department. The Illinois State Fair, a division of this department, attracts nearly a million persons annually. On the basis of the number of entries

and exhibits, this fair is the largest in North America. It provides a proper setting for the display of the rich agricultural harvest and productive energy of Illinois.

3. The Department of Conservation encourages fishing, hunting, and forestry in the State, co-operates with other departments in investigating and preventing water pollution, enforces fish and game laws, publishes reports on the State's natural resources, and promotes and establishes fish and game reserves. Through its Division of Parks and Memorials it provides recreational facilities for the people of Illinois, and helps to preserve sites of historical interest in the State.

4. The Department of Finance, in general, controls the spending, budgeting, and purchasing of the State. It estimates the income and expenditures for each fiscal year and prepares and distributes all tax statistics. All stationery and printing supplies needed by the various departments of the State are purchased through the Division of Printing of this Department.

5. The Department of Financial Institutions has chartering, regulatory, and investigative responsibilities over some 7,000 financial institutions in the State. State banks, savings and loan associations, credit unions, currency exchanges, cemetery care trust funds, foreign exchanges, trust departments, financial planning and management services, remittance agents, title guarantee companies, and consumer finance companies are all under the supervision of this department.

6. The Department of Insurance enforces all laws pertaining to insurance and sees that all of our State companies, agents, and brokers licensed to sell insurance in the State, meet the requirements of Illinois law.

7. The Department of Labor regulates working conditions and enforces laws concerning factory regulations, workshops and stores. Labor statistics and data are collected and made available through this Department. It also investigates wage scales and enforces the minimum wage law and child labor law. The Conciliation and Mediation Service assists employers and workers in the settlement of disputes and in the negotiation of labor agreements. The Department includes a division of unemployment compensation and free employment service with offices throughout the State.

8. The Department of Mental Health exercises executive and

administrative supervision over all State institutions, divisions, programs and services providing care and treatment for the mentally ill or retarded; licenses other hospitals providing psychiatric care and treatment; operates or provides financial assistance for psychiatric outpatient clinics; operates institutions to promote and advance knowledge through research in the causes and treatment of mental illness and deficiency. The Department also supervises State institutions providing residential care and education of the physically handicapped, veterans' dependents, and residential homes for veterans; provides clinic treatment for diseases of the eye and ear; operates a program for dependent children of veterans; licenses all private child care facilities and provides other child welfare services when local resources are unavailable.

9. The Department of Mines and Minerals is in charge of mine inspection, working conditions of miners, examination of miners, and the fighting of fires in mines. It checks the causes of fires and accidents in mines with a view to eliminating them as far as possible. This Department is also in charge of issuing rules and regulations which govern the developing and operating of oil and gas and the conservation of natural resources.

10. The Department of Personnel develops and administers job classification and pay plans, and the health, welfare, and safety programs of State employees. It makes rules governing employee grievances and disciplinary measures, and the selection, promotion, transfer, and demotion of employees on the basis of merit and fitness.

11. The Department of Public Health is responsible for the enforcement of all laws promoting State sanitation and health. In addition to 32 full-time county, district and city health departments, it maintains six offices, each one serving from 10 to 20 counties. These offices have physicians, public health nurses, dentists and other specialists. This Department is in charge of immunization; education for better housing and food; control of cancer, heart disease, and communicable diseases like tuberculosis and venereal disease; and the collection of vital Illinois statistics data. It licenses and inspects nursing homes and homes for the aged.

12. The Department of Public Safety is in charge of crime prevention and all State enforcement agencies, such as prisons, highway maintenance police, parole supervision and correction, criminal

identification and investigation, fire prevention and narcotic control.

13. The Department of Public Works and Buildings is in charge of all State construction, such as highways, parks, waterways, bridges, memorials, and new buildings.

14. The Department of Registration and Education serves as a scientific research division for other departments through the State Geological, State Natural History, and State Water Surveys at Urbana. It administers the various laws which regulate 26 professions and trades such as barbering, medicine, dentistry, nursing, veterinary medicine, beauty culture, real estate, plumbing, and embalming thus providing the people of Illinois safeguards of health, safety and proper conduct. The department is also responsible for the administration of the State Museum at Springfield.

15. The Department of Revenue is the primary tax collecting agency for the State Government. Nearly three fourths of all current revenue is handled through this department, which administers the Retailers Occupation and Service Occupation Tax Acts, and collects the Use, Motor Fuel and Liquor Revenues, Cigarette and Public Utilities taxes and the petroleum inspection fees. The department also collects the Service and Occupation taxes for counties and municipalities as well as for the State.

NON-CODE DEPARTMENT AGENCIES

Today there are over thirty agencies which are not under the Civil Administrative Code. The Military and Naval Department includes the National Guard and the Naval Militia. The Adjutant General who heads this Department is appointed by the Governor and is the administrative head of the State's armed forces and custodian of the State armories.

The Civil Defense Agency draws up a program for civil defense in the State, in cooperation with the Federal Government and the authorities of neighboring states. The Director of Civil Defense is assisted by an advisory council composed of the directors of certain code departments, the Secretary of State, the Adjutant General and 15 members appointed by the Governor.

The Illinois Public Aid Commission administers four major assistance programs — old age assistance, aid to the permanently disabled,

aid to dependent children, and aid to the blind. It also administers the State funds received by local governments for general assistance.

The Illinois Commerce Commission regulates the rates, services, financing, and safety operations of public utilities, such as the telephone, telegraph, electric, gas, and water companies. It also regulates intrastate transportation agencies — the railroad, motor bus and truck, barge, airplane, and pipeline companies.

The Illinois Civil Service Commission hears appeals of State employees under the personnel code, approves or disapproves requests for exemptions, makes rules or amendments to the rules, and decides position classifications and ratings. It hears appeals on discharges, demotions, suspensions, allocations or geographical transfers. It also submits the pay plan and amendments to it to the Governor.

The Illinois Youth Commission operates the State's juvenile correctional institutions, parole services for juvenile offenders, and delinquency prevention program. Included in its Division of Correctional Services are four institutions — the Illinois State Training School for Boys at St. Charles, Illinois State Training School for Girls at Geneva, Illinois Industrial School for Boys at Sheridan, and the Reception and Diagnostic Center for Boys at Joliet; ten forestry camps at Savanna, Fox Lake, Oregon, Morris, Marseilles, Bourbonnais, Petersburg, Robbs, Jonesboro, and Metropolis; and the Field Services of the parole supervision and placement personnel. The Division of Community Services conducts the delinquency prevention program, including such activities as the annual Governor's Conference on Youth, the Illinois Junior Sports Jamboree and the regional institutes on juvenile law enforcement.

A Department of Audits examines the financial transactions of all State agencies at least once every two years and more frequently if deemed advisable by the Auditor General. The Auditor General, who directs the department, is appointed by the Governor with the consent of the Senate for a term of six years.

The Board of Economic Development operates to advance the economic development of Illinois and create jobs in labor surplus areas.

These, and many other independent commissions and boards, such as the Athletic Commission, the Historical Library Board, the Liquor Control Commission, the Racing Board, the Illinois Veterans Com-

mission, the Industrial Commission, the State Toll Highway Commission, the Board of Higher Education, and the three boards responsible for the administration of the State tax-supported universities perform many special services as a part of the executive branch of the State government.

REVIEW QUESTIONS AND PROJECTS

1. Give the qualifications, term of office, and salary of the Governor.
2. What is the term of office of the State Treasurer? Can he be elected for two successive terms? Why?
3. What is the date of the general election at which we elect our State officials?
4. If an emergency arises which requires action by the General Assembly, and it is not in session, how may a special session be called, and by whom?
5. If the Governor leaves the State, who takes charge of his work during his absence?
6. Make a chart of the chief State officials, giving the names of the present officeholders, their duties, and yearly salary.
7. Make a chart listing the fifteen Code Departments, showing the chief duties of each Department.
8. What are the rates for automobile licenses in Illinois? Ask a Notary Public, who fills out applications for licenses, to give you the rates for cars of different horsepower.
9. How do you secure a driver's license? What are the requirements?
10. List five non-code department agencies and give the chief function of each.

CHAPTER V

STATE GOVERNMENT — THE JUDICIAL DEPARTMENT

After the General Assembly has passed the laws, the courts must determine whether or not they are constitutional. Laws must not violate any of the provisions of the Constitution that specify what the Legislature shall not do.

The courts must also make clear what the laws mean. To tell what a law means is to *construe* or *interpret* it. It is very difficult to write a long law, will, or any other document which will not bear two meanings in certain parts or in which every part is perfectly clear. In some cases parties are greatly interested in having the law mean different things. In other cases there are several laws on the same subject. It is the duty of the courts to construe all laws.

The courts must determine the facts in a given controversy and apply the laws which relate to these facts. This work probably takes the greatest part of the court's time.

In determining any lawsuit or proceeding in court, former cases which contain similar questions are read by the lawyers. The State of Illinois is known as a common-law State, except, insofar, as it has been modified by the Civil Practice Act of 1933. This Act simplified the practice of law so that suits could be brought to trial much more quickly and changed the forms of documents.

The common law consists of all of the court decisions of the various states of the United States back to their beginnings and also the decisions of the high English courts for several hundred years. The decisions of the courts of other states and those of England are not binding upon our State courts, but they help our courts to make their decisions by showing them what other judges have thought about similar cases.

In many of the states the rules of the law have been written up into what is known as a code, which is expected to set down in detail the rules relating to many types of cases. In a state possessing a code of laws, less attention is given to former court decisions. In a code state, the pleadings or papers filed in a suit are supposed to be simpler and less governed by old rules and common-law practices.

There is much difference of opinion as to which is the better system — code or common-law practice. Leading lawyers are divided on the merits of the two systems.

The Supreme Court. The highest court of the State of Illinois is the State Supreme Court. The State is divided by the legislature into seven Judicial Districts as shown by the map on the next page. Each of these districts elects a judge for a term of nine years. A Supreme Court Justice must be at least 30 years of age, a citizen of the United States and a resident of the district in which he is elected. The salary of a Supreme Court Justice is \$30,000 a year.



Illinois Information Service

ILLINOIS STATE SUPREME COURT BUILDING, SPRINGFIELD

These judges do most of the work of writing their opinions at home, but on the second Monday of the months of January, March, May, September, and November they meet at Springfield for a session of about two weeks to hear cases.

The Supreme Court does not examine witnesses as the lower courts do, but examines printed arguments submitted by the attorneys representing both sides of a case. If the attorneys wish, they may appear before the court and argue the case orally, but many cases are decided entirely upon the printed arguments.

A few types of cases can be taken directly to the Supreme Court without first going through one of the lower courts. The Supreme Court is said to have *original jurisdiction* in such cases. The Constitution gives the Supreme Court original jurisdiction in cases relating to the revenue, in *mandamus*, and in *habeas corpus*.*

If one of the parties in a case is not satisfied with the decision of a lower court, he may under certain circumstances appeal the case and carry it to the Supreme Court for a final decision. The procedure in appealing a case from the Circuit Court to the Supreme Court and the procedure in deciding that case in the Supreme Court is as follows.

If a party loses his case in the trial court and it has to do with one of the following matters, then the party may appeal the case directly to the Supreme Court:

1. a serious criminal case;
2. a freehold (relating to land);
3. a franchise (mostly relating to corporations);
4. the validity of a law or (in certain cases) of a city ordinance;
5. the construction of the State Constitution;
6. all cases relating to revenue or in which the State is interested.

In other cases he must first carry his case through the Appellate Court, which is between the Circuit Court and the Supreme Court, and only under certain conditions can he carry his case to the Supreme Court.

The person bringing an appeal to the Supreme Court (called the appellant or plaintiff in error) prepares a printed abstract or short account of all the testimony and papers in the case and also submits a brief which sets forth his points of law and arguments. He files these with the Clerk of the Supreme Court. The appellee (or defendant in

*The writ of mandamus is an order to a public officer, a person, or corporation to attend to some duty which ought to have been done but has been neglected. A writ of habeas corpus is a court order requiring a person to be brought before a judge to ascertain why he is being held.

error) also files his brief and certain other papers, and then the Supreme Court takes up the matter for consideration.

Each Supreme Court judge takes one-seventh of the cases and prepares opinions on them. A printed copy of each opinion is sent to each of the other judges at his home office. When the judges meet in Springfield every other month, they discuss the written opinion on each case. If any opinion meets the views of the majority (4) of the judges, either as first written or with such changes as desired, this opinion is adopted as the opinion of the court and is printed in the Supreme Court reports.

The Supreme Court reports run back to the foundation of the State with new ones appearing every few months. In the early reports appear many cases in which Abraham Lincoln was an attorney. Lincoln had a good practice before the Supreme Court when he lived in Springfield.

The Supreme Court has a building provided for it in Springfield. The Appellate Court of that district and the Attorney General occupy portions of the same building.

There is a Clerk of the Supreme Court, a Librarian, a Marshal (who acts somewhat the same as a Sheriff for the Circuit Court), and a Reporter of Decisions.

The Appellate Courts. Next below the Supreme Court are the Appellate Courts. There are four appellate court districts. The first district (Cook County) has three divisions and the second has two divisions with three judges in each division. The other two districts have no divisions. Each has three judges. The second district meets at Ottawa, the third at Springfield, and the fourth at Mt. Vernon.

Various Circuit Court judges and Superior Court judges of Cook County are assigned by the Supreme Court for three-year terms to sit as Appellate judges and hear cases brought from the trial courts. Appellate Court judges are not assigned to districts in which they serve as Circuit Court judges; otherwise they would sit on cases of appeals from their own court decisions. The Appellate Court judges, unfortunately, receive no extra salary for serving in the Appellate Courts.

The procedure in the Appellate Court as to filing briefs and abstracts is much like that in the Supreme Court, and the opinions are published in the Appellate Court reports. These reports, not being

those of the highest court of the State, will probably not bear as much authority as the Supreme Court reports.

Since it is impossible for one state court to hear all the cases which might be appealed to it, the Constitution and the General Assembly have provided methods whereby certain classes of cases cannot go higher than a particular court. The Appellate Courts are constituted to settle a large number of cases which have been appealed, thus reducing the number of cases submitted to the Supreme Court.

Only a small proportion of the cases ever goes beyond the court in which they are originally tried, and the Supreme Court considers only a very small percentage of the many thousands that are tried in the lower courts.

The Circuit Courts. The foundation court of our judiciary system is the Circuit Court. A circuit usually consists of a number of counties joined together for judicial purposes. The judges go from one county to another holding sessions of the court, thus "traveling around a circuit." Each county has certain terms of court as provided by the legislature.

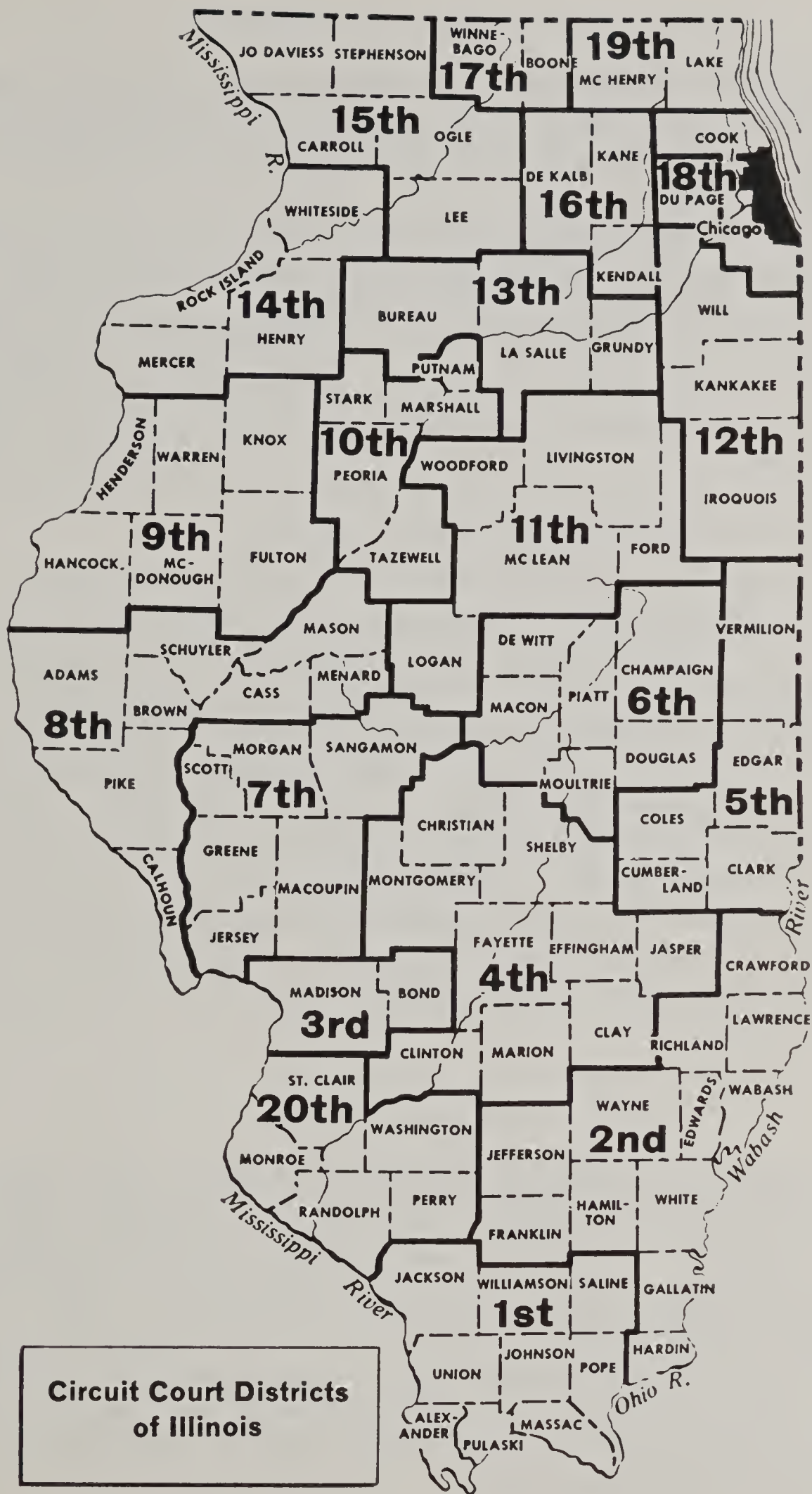
The State is divided, with the exception of Cook County, into twenty judicial circuits (districts). Seventeen of these circuits have three judges each, and the three largest have four each. The voters of each district elect their judges on the first Monday of June for a term of six years. Elections will be held in 1963, 1969, and 1975. Cook County now requires twenty circuit judges to take care of the cases in the Circuit Court of that County. In addition, Cook County has 53 Superior Court judges and 37 Municipal Court judges, each elected for six years.

The salary of a Circuit Court judge is \$20,000 a year. Circuit Court judges of Cook County receive \$29,000, the additional \$9,000 being paid by the County.

The Sheriff of each county attends the Circuit Court of that county, summons the defendants, jurors, and witnesses in a case, and carries out the orders of the court.

THE GRAND JURY

The grand jury is a very old plan for finding out what persons shall be prosecuted for a crime. The *grand jury* is composed of



Circuit Court Districts of Illinois

twenty-three members, and it considers a larger number of offenses than the *petit* jury (or little jury), which is composed of twelve members and has to do only with the one particular crime which it is selected to try.

There are two methods of bringing persons to trial for criminal offenses, one being by information and the other by indictment. An *information* is made by the State's Attorney or sworn to by some person after consulting with him, and is presented to the judge for approval. If the judge approves, he may order the arrest of the person, but an information is allowed only in certain cases of minor importance. More serious crimes can be prosecuted only after a "true bill" has been found and the *indictment* (or formal charge of a crime) has been presented by the grand jury.

A grand jury is selected by the County Board of each county. Sixteen of this jury must be present for legal action, and it requires the votes of twelve of those who are present to return an indictment.

A person is considered innocent until he is proved guilty. An indictment is voted after hearing only one side of the testimony, and does not mean that the person is guilty. It only means that the grand jury, after hearing the testimony presented by the State's Attorney in behalf of the people, believes that there is sufficient evidence to hold the person for trial. In serious criminal cases, it is always necessary to furnish the accused person with a copy of the indictment.

After a person has been indicted for a serious crime by a grand jury, he must either be held in jail or must obtain his temporary release on *bail*.

TRIAL BY JURY

In America it is the universal plan to try cases by a jury composed of twelve members carefully selected from the substantial citizens of the community. In this State, it is required to have an unanimous vote of all twelve to find a verdict, and, unless they can agree, there must be another trial.

The first step in the making of a jury is to prepare a list of persons who would be proper to serve. This is done in most counties by the Board of Supervisors. In Cook County, there is a special jury commission for selecting the jurors.

From this list a certain number are impartially drawn for each term of court. From these the attorneys for the two sides of any given case select twelve persons to try that case. Great care is taken to secure a jury free from prejudice, and there are various kinds of questions which an attorney may ask a prospective juror to see whether he wishes that particular person to sit on the jury to try his case. In some smaller cases (especially those tried before a Justice of the Peace) a jury of six is allowed.

Visit a courtroom at the first opportunity and see how a trial is actually conducted.

REVIEW QUESTIONS

1. The highest court in our State is the There are judges in this court. Each of these judges receives a yearly salary of \$.....
2. Each Supreme Court judge takes of the cases and prepares opinions on them. of the judges must agree on an opinion before it is adopted as the opinion of the Supreme Court.
3. The State is divided into Appellate Court districts. These courts relieve the by considering many of the minor cases.
4. There are Circuit Courts Circuits outside of Cook County. Each Circuit Court judge in those circuits is elected for years and receives a salary of \$..... a year.
5. There are Circuit Court judges in Cook County, each judge receiving a yearly salary of \$.....
6. In which Supreme Court district is your county located?
7. In which Circuit Court Circuit is your county located?
8. How many persons are required for a *grand* jury?
9. How many votes are required for a grand jury to return an indictment against a person?
10. What is meant by *giving bail*?
11. How many persons are selected for a jury in a trial of a person accused of murder?

CHAPTER VI

COUNTY GOVERNMENT

THE COUNTY BOARD

The county has been found to be a convenient division of the State for giving the people of each section of the State the control of their own local affairs. Illinois is divided into 102 counties, each with its own government, officials, and court system.

The early settlers of New England lived together in towns. Each of these towns had its own officers and managed its own local affairs. In Virginia, where agriculture was the chief occupation, the people lived on large plantations instead of villages. These plantations were grouped together into large divisions called counties. Since most of the early settlers of Illinois came from Virginia and Kentucky where they were accustomed to the county form of local government, they naturally used this form of government for their local affairs.

Most of the people who settled the northern part of the State came from New England, New York, and Pennsylvania, where they had been accustomed to a smaller division than the county for their local government. In order to meet the wishes of these settlers, it was provided in the Constitution of 1848 that the people of any county might adopt the township form of organization when a majority of the voters favored that system of local government.

Hence, there have grown up in Illinois two types of county organization. Out of the 102 counties, 85 have adopted the township form of government. These counties are situated in the central and northern part of the State, where the New England influence was stronger. There are 17 counties in the southern part of the State which still prefer to retain the county as the unit of local government.

Board of County Commissioners. In the 17 counties not under township organization, the local government is managed by a Board of

County Commissioners. This Board consists of three members who serve for a term of three years, one being elected each year. A board member receives from five to fifteen dollars a day. The commissioners divide the county into small districts called precincts for election purposes. They divide the county into smaller districts for taking care of the roads and bridges of the county. The Board also serves as a board of health with powers to appoint health officers and make necessary regulations for promotion of health and suppression of communicable diseases.

The chief argument in favor of this system of county government is that it is more economical than the township system, as there are fewer officers and, consequently, less expense for salaries.

Board of Supervisors. In counties under township organization there is an elected Board of Supervisors who hold office for four years. Each township is entitled to one Supervisor, but townships having over four thousand inhabitants are entitled to additional Assistant Supervisors. The Assistant Supervisors have the same powers in the county affairs as the Supervisors, but have no authority in the township government except on matters concerning the town's health. Since some counties have boards of 50 or 60 members, much of the work is done by committees, the full board confirming committee action.

The Board of Supervisors, or County Board as it is often called, is the legislative body which governs the business of the county. This board has charge of paying out the taxes for county purposes, has general oversight of the roads and bridges, divides the county into districts for elections, appoints election judges and clerks, and looks after other county business that is not delegated to other regular officials of the county. The Board elects its own chairman, but the County Clerk serves as secretary. Each Supervisor has his county duties and also attends to various matters of his own township.

Due to the large population and unique problems of Chicago, special laws are necessary for the government of Cook County in which Chicago is situated. Cook County, divided into 30 townships, is governed by a Board of County Commissioners instead of township supervisors. Ten Commissioners are elected from Chicago and five from the rest of the county. The President of the Board has veto power that can be overridden by a four-fifths vote. The Cook County board is required by law to meet at least six times a year.

County Superintendent of Highways. Counties which have highways under the State-aid system must employ a Superintendent of Highways. He has charge of construction and maintenance of all roads and bridges in which the county is financially interested. He has a force of patrolmen who assist him in caring for the State-aid roads. The County Superintendent of Highways is appointed by the County Board from a list of persons passing a competitive examination which is given by the State Highway Commission. He serves for a term of six years, and his salary is fixed by the County Board.

Other county officers usually appointed include a County Veterinarian, Assistant County Superintendent of Schools, County Nurse, Supervisor of County Welfare, and Chief Probate Officer of the Juvenile Section of the County Court.

County Agriculture Advisor. This official is usually a soil expert and advises the farmers and 4-H clubs in their work and activities. He is maintained by the Farm Bureau Association and, therefore, not appointed by the County Board.

ELECTIVE COUNTY OFFICERS

In addition to the above-mentioned appointive officials several other county officers are elected for a term of four years.

County Clerk. The County Clerk attends to keeping the records of the County Court and also of the Board of Supervisors. He issues marriage licenses, computes the amount of taxes to be paid by every taxpayer of the county, canvasses (with two Justices of the Peace) the votes of the county in a general election, keeps birth and death records, and must furnish, whenever the regular fee is paid, a copy of any record, paper, or account in his office.

Clerk of Circuit Court. Each county elects a Clerk of the Circuit Court. He keeps the record of that court and issues the necessary papers, such as summons, subpoenas, citations, and executions. Besides his main office in the county building, he or one of his deputies (assistants) usually has a desk in the courtroom beside that of the judge. Here he can keep the necessary papers and receive them from attorneys as filed, keep an account of the orders entered by the court, and swear in the witnesses.

Recorder of Deeds. In most counties, the Clerk of the Circuit Court is also the Recorder of Deeds. In counties of more than 60,000 inhabitants, a separate Recorder of Deeds is elected. The Recorder of Deeds receives deeds, mortgages, cemetery deeds, soldier's discharge papers, income and sales tax liens, articles of incorporation, and other papers entitled to be recorded. These records are usually kept in fireproof vaults. They are very valuable as they show the title to real estate (farms, city lots, etc.) and are the official records of many other important matters. If a valuable paper is recorded and then lost, the Recorder's books will show its contents.

Suppose a person received a deed to a piece of land from the owner. Under the law, the person to whom the deed was given (called the grantee) would then be the owner of the land. But if the person who received the deed did not record it, and the person who gave the deed (the grantor) were dishonest and sold the land again to some person who did not know of the former deed, the latter person would, under ordinary circumstances, become the owner of the land, if he recorded his deed. Hence, it is very important to record papers relating to real estate.

A person who lends money on a piece of property and receives a mortgage on the property should have that mortgage properly recorded. When the owner of the property pays off the mortgage, he should secure a release of the mortgage from the person who loaned him the money and then see that this release is properly recorded.

Any person, wishing to record a valuable paper, takes it to the Recorder, who copies it into a large record book and then returns it. These books, unless destroyed by fire or otherwise, run back to the beginning of the county.

On account of the difficulty in searching through so many deeds, there are persons or corporations skilled in that work who make abstracts or short memoranda of the principal instruments which affect the title to any particular piece of land. These *abstracts of title* contain not only accounts of matters in the Recorder's office, but also records in the offices of the clerks of the courts and public records.

State's Attorney. One of the chief duties of the State's Attorney is to see that persons who disobey the laws of the State are indicted by the grand jury, arrested, and brought before the court for trial. The State's Attorney then prosecutes the cases; that is, he endeavors to

prove that the persons who were indicted are guilty of the crimes charged against them.

The State's Attorney represents the county in all tax matters and assists in the collection of all delinquent taxes. He also represents the county in all lawsuits in which the county or the officers of the county are involved. He gives advice on questions relating to the law which are asked by various county officers and Justices of the Peace.

Sheriff. The law calls him the "conservator of peace" and makes him chiefly responsible for preventing crime and seeing that peace and order are maintained. He arrests persons accused of wrongdoing and keeps them in the county jail until they are released by proper court orders or taken to the penitentiary or other places of confinement. He is in charge of the county jail and the care of the prisoners. He serves the notices (*summons*) on the defendants in legal proceedings and also may serve notices (*subpoenas*) for witnesses to appear. In general, the Sheriff's duties are to preserve the peace of the county and to assist in carrying out the orders of the courts. He is also required to keep order in the courtroom while the court is in session. In counties not under township organization, the Sheriff is also the collector of taxes.

The Sheriff is elected for a term of four years and cannot succeed himself; that is, he may not be elected two terms in succession.

Coroner. The office of Coroner is a very old one and used to be called in England the Crouner, being the representative of the King (or crown). The main duty of the Coroner is to inquire into the cause of the death of any person who dies suddenly or who is found dead under such circumstances as make it possible that a murder might have been committed. Such an investigation is called an *inquest*. The Coroner selects a jury to assist him in an inquest. If during an inquest a person is found to be implicated in a murder, it is the duty of the Coroner to arrest him and hold him for trial.

In any case where it would not be proper for the Sheriff to act, the Coroner is designated by law to act in the Sheriff's place. For example, if the Sheriff has taken possession of some property under one legal paper and another person gets out another paper calling upon the Sheriff to deliver up the property, this last-mentioned paper must be served on the Sheriff by the Coroner, as the Sheriff cannot serve a paper on himself.

County Treasurer. The County Treasurer receives all county funds and pays out money as ordered by the Board of Supervisors. His accounts are inspected twice each year by the Board of Supervisors to see that they have been properly kept. He also distributes the tax funds to the taxing units.

In counties under township organization which contain less than 150,000 inhabitants, the County Treasurer has general charge of the assessment of property for purposes of taxation. In counties which contain less than 100,000 inhabitants, the County Treasurer collects all the taxes for the county. The County Treasurer like the Sheriff is elected for four years and may not succeed himself in office.

Superintendent of Schools. The County Superintendent of Schools has charge of the schools in the county and particularly those outside of the cities. He prepares the programs of teachers' institutes and holds other teachers' conferences during the year. He issues teachers' certificates and conducts county examinations. He also inspects the accounts of the School Treasurers, makes a proper distribution of the county's share of the State distributive fund, and makes an annual report to the State Superintendent of Public Instruction in which he gives a statistical report of all the schools in the county.

The term of the County Superintendent begins on the first of August following the election, instead of December, as in the case of most county offices. Although elected by the people of the county, he is also a State officer, since his salary is paid by the State.

County Board of School Trustees. This board of school officers was created by the General Assembly in 1952. It consists of seven members elected by the people of the county. The County Superintendent of Schools is ex-officio secretary of the Board. The members of these boards serve without pay. Their duties deal primarily with determining the boundaries of school districts.

County Surveyor. The County Surveyor makes all the official surveys of the land in the county. He settles boundary disputes by determining the right boundaries to property. He is required to keep a record of these surveys and have them open for the inspection of those who are interested in the surveys. Surveys are recorded in the Recorder's office. The County Surveyor must be licensed by the State.

Salaries of County Officials. Since the 102 counties in Illinois vary in size and population, the official fees and salaries of officials are

divided into three classifications: (1) those of counties under 25,000 population, (2) those of counties between 25,000 and 500,000 population, (3) those of counties over 500,000 population. At the present time there are 57 counties in the first classification, 44 counties in the second, and one, Cook County, in the third classification.

COUNTY COURT SYSTEM

County Legal Procedure. One of the most important functions of the county and its officials is the capturing and conviction of criminals. The following steps will show briefly how the county legal process operates. First, the crime is reported to the city police, the town constable, or sheriff of the county. If it is a case of death by violence or without the services of a physician, the Coroner of the county must hold an inquest into the cause of the crime. Upon the recommendation of the Coroner's jury a warrant will be issued by the court for the arrest of the suspected person.

A city police officer, the county Sheriff, or one of his deputies will then make the arrest. The State's Attorney of the county investigates the matter in order to prosecute successfully the suspected person when brought to trial. Upon indictment of the accused person by the grand jury, the case is docketed for trial in court. The verdict will usually be given by the petit jury, composed of twelve persons. If the jury, after weighing the evidence presented, finds the accused person guilty, the Judge then pronounces the sentence.

All counties have at least two courts, the County Court and Circuit Court, to which legal matters may be brought for settlement. In counties having a population of more than 70,000 inhabitants, there is a third court known as the Probate Court.

The County Court. The County Judge presides over the County Court. Although this court has jurisdiction over many kinds of minor criminal cases, its chief business is civil cases; that is, it tries lawsuits between citizens. These include condemnation and damage suits, non-support, desertion, adoption of children, debts, and insanity.

The County Judge also has charge of delinquent and dependent juvenile cases. He can supervise a child at home, or take a child away from his parents and place him in a new home or in a public or private institution. He may place a delinquent on probation

under the care of some reliable person or agency, and thus avoid sending him to an institution where he might meet hardened delinquents. A serious delinquent, if a girl under 18, or a boy under 17, can be sent by the County Judge to a reception depot of the Illinois Youth Commission. Here the case is studied for 30 days, after which time a boy may be sent to the Illinois State Training School for Boys at St. Charles, a girl to the Illinois State Training School for Girls at Geneva. If the case does not appear too serious, the delinquent may go to one of the work camps maintained in the State Parks, or may even be paroled under the Parole System established by the State. Hardened cases are sent to the Illinois Industrial School for Boys at Sheridan, a place of maximum security.

The County Court also has a number of duties concerning the collection of taxes. If the taxes are not paid upon a piece of real estate, such as a farm or a city residence, the County Judge can enter a judgment that the property shall be sold for taxes. The owner, however, has the privilege of redeeming his property within two years by paying the delinquent taxes and the other costs connected with the sale of the property.

This court has jurisdiction in criminal or civil cases where the punishment is for not longer than one year or the amount involved in the damage suit does not exceed \$2,000.

Appeals from the Police Magistrates and Justice of the Peace Courts are also brought to the County Court. The County Judge is elected for four years.

Probate Court. The work of this court is highly specialized, dealing for the most part with the settling of the estates of deceased persons. It has jurisdiction over inheritance cases, seeing that the property is divided equitably among the heirs, and protecting the interests of widows and orphaned children by supervising the spending of their money while the estate is in the process of being settled. The Probate Judge also sees that inheritance taxes are paid.

Circuit Court. The work of this court was discussed in Chapter V.

Justices of the Peace. Before 1961, Justices of the Peace were officers of the township. Now they are county officers elected for four-year terms from districts established by the County Board. Each county (except Cook County) is divided into three to five justice districts with one or more townships or at least 1500 inhabitants. In order to

provide about equal population in each district, all or part of the population of cities and towns must be excluded. One Justice of the Peace and one Constable is elected from each district but others may be elected if the population exceeds 40,000. The number of justices and constables may be increased or decreased by vote of the people but no more than five justices and constables can be elected from any one district. Each township in Cook County constitutes a justice district from which two justices, up to a maximum of five, may be added if the population exceeds 40,000.

Justices have original jurisdiction in all cases of misdemeanor when the punishment does not exceed a \$1,000 fine and imprisonment in the county jail for one year. A justice can hold a preliminary hearing concerning a grave offense and determine whether a person should be bound over to the grand jury for further action. A justice cannot punish a person for a serious offense. Cases of assault and battery may be heard before a justice. He may also issue peace bonds (restraining orders against persons trying to molest another citizen). A justice is also empowered to perform marriage ceremonies, issue search warrants and warrants to arrest and collect debts.

Each Justice of the Peace is controlled by law and must make monthly reports to the County Board concerning the disposal of civil and criminal cases and account for the fees, fines, and penalties collected. All money taken in must be paid over to the County Treasurer.

TRUE-FALSE TEST AND REVIEW QUESTIONS

1. The people of the counties in northern Illinois favor the township form of organization because they think that it is more economical.
2. The people in some of the southern counties of the State chose the County Commission form of government because they originally came from some of the southern states where they had been familiar with that type of government.
3. There are only 17 counties out of 102 counties in the State which now have the County Commissioner form of government.
4. Counties not under township organization are governed by a Board of County Commissioners of three members.

5. Most of the counties in northern Illinois are governed by a Board of County Commissioners.

6. The Assistant Supervisors have the same authority as the Supervisor in all questions relating to the government of the town in which they live.

7. If a piece of property is sold for the collection of taxes, the owner can redeem the property within two years by paying the delinquent taxes and other penalties imposed for late payment.

8. If a civil suit involves damages amounting to \$5,000, the case comes within the jurisdiction of the County Court.

9. Pike County had a population of 22,155 in 1950. That county was therefore entitled at that time to both a County Judge and a Probate Judge.

10. The Sheriff of a county is ineligible to succeed himself at the end of the term for which he was elected.

11. The County Superintendent of Schools is elected for a term of four years.

12. The County Clerk keeps the records of the Circuit Court and in some counties serves as the Recorder of Deeds.

13. In dealing with delinquent juvenile cases, the Probate Court will sometimes place a delinquent on probation rather than send him to an institution.

14. Make a chart of the chief county officials, giving the names of the present officeholders and listing their duties.

15. Explain carefully the county legal procedure by tracing the steps in the apprehension and conviction of criminals.

16. Which is the more efficient and economical form of county government, the Commissioner or Board of Supervisors plan? Why

17. What kind of cases are brought before the County Judge? What is the name of the County Judge now serving in your county?

18. Why is it necessary for the county to keep a birth record of every child born in the county?

19. Can you name and locate the various townships in your county? What is your county seat?

20. What counties are in your State Senatorial District? In your Representative District? In your Congressional District?

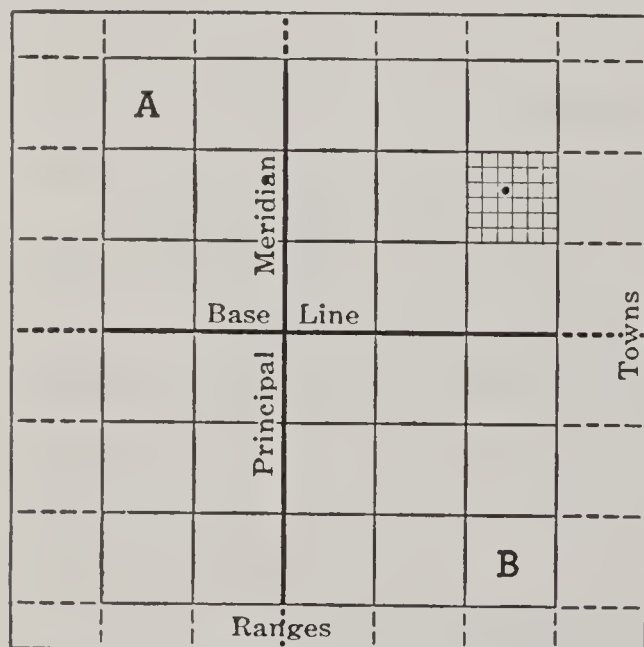
CHAPTER VII

TOWNSHIP GOVERNMENT

The government of the township is of less importance than county government in Illinois; and when the township contains a large city, the city government is the most important.

There is always much confusion caused by the use of the terms *town* and *township*. The word *town* is often used to mean any group of buildings and stores. This is not the sense in which we use the word in civics. *Town* or *township* here means the government of a district usually 6 miles square. Such a town need not have an urban center within its boundaries.

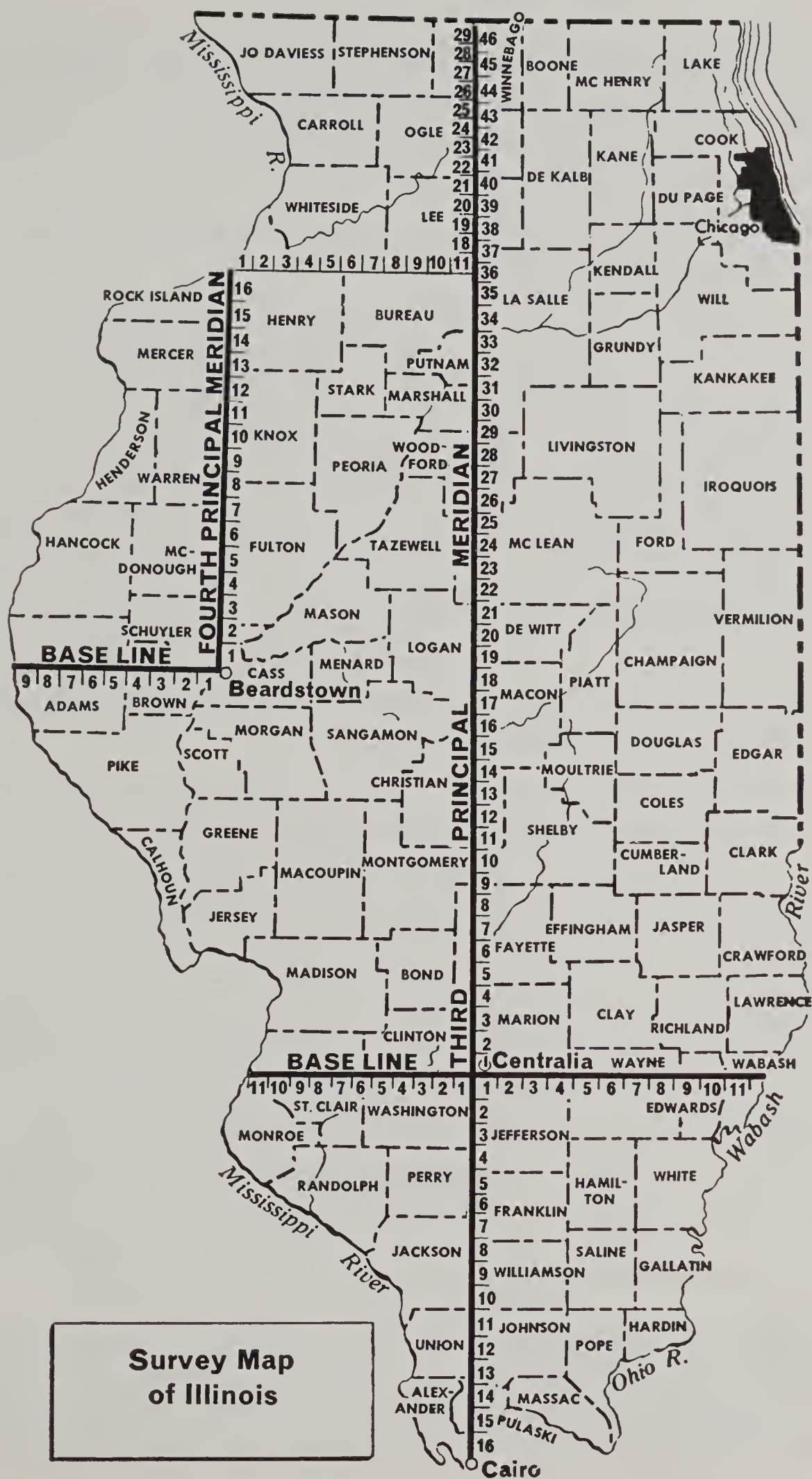
Congressional Township. In 1785 Congress passed an act which provided for a rectangular system of surveying the land of the Northwest



Territory. According to this act, the land was to be divided into townships 6 miles square by running lines due north and south, with other lines crossing them at right angles.

A few of the north-and-south lines were designated by Congress as *principal meridians*. One of the east-and-west lines crossing the principal meridian was designated as a *base line*. By means of a principal meridian

and a base line, any congressional township may be located. In the illustration the township divided into sections is 2 townships north of the base line. The first row east of the principal meridian is called



Range 1 East; the second row, Range 2 East; and so on. The selected township, or the one subdivided into its thirty-six sections) is located as Town 2 North, Range 3 East of the principal meridian (whose number or name would be indicated).

(Give the descriptions which will locate the townships marked A and B in the illustration on page 68.)

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

The map on page 69 indicates the location of the principal meridians and the base lines which are used in locating all the congressional townships in Illinois.

How Tracts of Land Are Designated. Congress provided that a congressional township should be divided into 36 sections, each a mile square. The sections of each township are numbered as shown in the accompanying diagram. Note that section

number 1 is in the northeast corner and that section number 36 is in the southeast corner of the township.

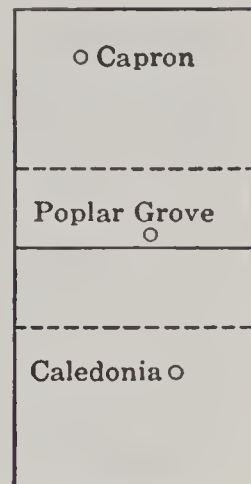
As very few people can afford to own a whole section of Illinois land, or 640 acres, it is, therefore, necessary to divide a section into

N.W. $\frac{1}{4}$ OF N.W. $\frac{1}{4}$	N.E. $\frac{1}{4}$ OF N.W. $\frac{1}{4}$	E. $\frac{1}{2}$
S. $\frac{1}{2}$ OF N.W. $\frac{1}{4}$		
S.W. $\frac{1}{4}$		

smaller tracts. The large tract shown in the illustration is described as the East $\frac{1}{2}$ of the section. The other tracts may be described by reference to the abbreviations in the various divisions of the sections. If a deed specified that the grantor deeded to the grantee the Northeast $\frac{1}{4}$ of section 17, in Township 44 North, of Range 3 East of the Third Principal Meridian, there is only one tract of land to which this description could apply. Locate approximately its position on the survey map of Illinois.

The Town as a Local Division. Eighty-five counties of our State have the township form of organization. There is a difference between a *congressional township* and the *town* (or township) which is a governmental division. A *congressional township*, described on page 68,

is 6 miles square and is one of the divisions of the government survey; while a *township* is a division of the county for governmental purposes and has a name such as Perry Township, Lexington Township, Pigeon Grove Township, or West Township. The township need not have the same boundaries as the congressional township; however, they usually do coincide. It is not necessary for a township to be six miles square. In the diagram here, you will see two congressional townships which have been divided into three towns. This was more convenient for the people who could then go to the three villages for elections and town meetings, instead of to the two villages (Caledonia and Capron) which had been the centers for the two towns as formerly constituted. Thus, we see that a congressional township is a fixed unit six miles square, while a governmental town (or township) may vary according to the needs of the inhabitants. There are 1,433 townships in Illinois which carry on governmental activities.



The Annual Town Meeting. On the first Tuesday in April the town officers are elected at an annual town meeting. At two o'clock in the afternoon a citizen who has been chosen as moderator calls the voters to order to transact the business of the town. This is a *pure democracy* and is the only instance of such a kind in Illinois. At this meeting the voters decide the amount of money to be raised by taxes for roads and bridges, salaries of the town, care of the poor, the sewage system, and for other necessary expenses.

Other questions such as the running at large of stock, premiums for planting trees, rewards for the destruction of noxious weeds (such as the Canada thistles), measures relating to the health of the township, lawsuits for or against the township, and various other measures may be acted upon at this meeting. Special meetings may be called, but only in a manner prescribed by law, and no business may be transacted except that for which the meeting is called.

TOWNSHIP OFFICERS

All township officials must be qualified voters in the township and have been residents of the township for one year. They are elected for terms of four years by the voters at the town meeting.

Supervisor. Each town (or township) has a Supervisor. In addition to his duties as a member of the County Board of Supervisors, the Supervisor has charge of all of the township funds, prosecutes all suits for the purpose of recovering penalties and forfeitures due the town, and gives an annual report to the town meeting. The Supervisor has charge of the distribution of local relief funds. Today many different agencies, both from the Federal and State governments, are co-operating with local officials in caring for those who need relief.

Assessor. The Assessor determines the value of the land and personal property upon which the taxpayer is to pay taxes. These values, as determined and set down in a book by the Assessor, are then revised by a county Board of Review before the tax rates are set.

Town Clerk. The Town Clerk keeps all town records. He must certify to the County Clerk by the second Tuesday in August the amount of taxes to be raised for all town purposes. The Town Clerk provides the ballots for town elections. He is clerk for the township Highway Commissioner and a member of the Board of Health and the Electoral Board. His elected term is four years.

Highway Commissioner. The Highway Commissioner has charge of the construction and maintenance of the roads and bridges under township supervision and directs the expenditure of road and bridge funds. He also supervises the additional revenue secured for these purposes from the State Motor Fuel Tax. He prosecutes all violations of law occurring on these roads.

Constables. Since 1961, Constables as well as Justices of the Peace are elected from justice districts. From one to five Constables are elected for four-year terms from each district, the number depending on the population of the district and the vote of the electors. Each Constable may appoint one Deputy Constable who acts at the direction of the Constable. The Constable performs somewhat the same duties in relation to the Justice of the Peace Court as the Sheriff does for the Circuit and County courts, such as serving papers, making arrests, and preserving the peace.

Board of Auditors. The chief function of the Board of Auditors is auditing the books of all town officers and serving as a Board of Appointments in filling department vacancies. This board is composed of the Supervisor, the Town Clerk, and three responsible citizens elected at large by the people.

Board of Health. The Board of Health of each town consists of the Supervisor, the Town Clerk, and the Assessor. This board must make and enforce such regulations as are needed to prevent or check the spreading of communicable diseases in the town.

REVIEW QUESTIONS

1. In what direction does a principal meridian run?
2. In what direction does a base line run?
3. What is the number of the principal meridian from which most townships in Illinois are reckoned?
4. At what city does the base line cross the third principal meridian?
5. Draw a diagram showing how the sections in a township are numbered.
6. On the diagram you have just drawn shade the S.W. $\frac{1}{4}$ of Section 29 of that township.
7. Explain the difference between a congressional township and a town.
8. What is the date of the annual town meeting?
9. What township officer provides food, clothing, and fuel for the needy people in a town?
10. Who determines the amount of money to be raised by taxation for township purposes?
11. What township officer determines the valuations of the real estate and personal property upon which the taxpayer is to pay taxes?
12. Who has the authority to revise the valuations on your property if you can prove that the assessor placed too high valuations on your property?
13. To how many Justices of the Peace is a city of 3,000 population entitled? What are their powers?
14. If a man killed another man, what action could a Justice of the Peace take against him?
15. Make a chart of the chief township officials, giving the names of the present office holders and their duties.

CHAPTER VIII

VILLAGE AND CITY GOVERNMENT

Today Illinois has approximately 800 villages and 300 cities. Over three-fourths of the people in Illinois live in urban communities, whereas sixty years ago over half of the people lived in rural areas.

When a large number of people live close together, problems naturally arise which require the attention of the government. Those things which an individual would ordinarily do for himself in the country must be taken care of collectively in a city. In general, the larger the city, the more are the duties that must be carried on by the government.

VILLAGE GOVERNMENT

Incorporating the Village. Before 1870, all cities and villages were organized under special charters granted to them by the State Legislature. These charters differed in so many respects that it was difficult to pass any general law that would apply to all municipalities alike. The Constitution of 1870 forbade special charters of this kind for the incorporation of cities, towns, or villages, and it became necessary to adopt a general law setting up the framework of local government.

The Cities and Villages Act of 1872 prescribed the type of government to be adopted by a city or village. It carefully described the framework of all municipal government, designated the number of officials, manner of election or appointment, term of office, and defined their powers and duties. Any unincorporated community of at least 400 population covering not more than two square miles can now hold an election and vote to incorporate as a village.

Since the law provided no maximum requirement, some of the largest municipalities and towns have been successful in retaining their village organization.

Village Government. In an incorporated village the elections are held the first or third Tuesday in April of the odd-numbered years, at which time all qualified voters elect their village officials — the President, Clerk, and six Trustees. These officials hold office for four years, three Trustees being elected every two years. A Police Magistrate may also be elected for a term of four years with duties and jurisdiction similar to those of the Justices of the Peace. The term of office of these elected officials may be reduced to two years if the people so decide. Usually these few officials are sufficient to manage village affairs.

The Village Board consists of the President and six Trustees and has much the same powers and performs the same duties as the City Councils. The President has the power to veto the ordinances and resolutions passed by the Trustees who in turn may override his veto. The President with the consent of the Trustees may appoint a treasurer, a street commissioner, a village marshal, a health officer, or any other necessary official.

CITY GOVERNMENT

As the village grows in population and area, the problems and needs increase and a more complex government becomes necessary. The people now need better fire and police protection, improved streets, parks and recreational centers, better schools and libraries, health and charitable institutions, as well as water, light, and power facilities. All of these require more money which must be secured largely through increased taxation.

Incorporating the City. When an incorporated town or village or an unincorporated territory has a population of not less than 2,500 and the latter covers an area of not over four square miles, any 200 electors may petition the County Judge to hold an election and vote to organize as a city.

Types of City Government. There are three main types of city government in the United States: (1) Mayor-Council, (2) Commission, and (3) Council-Manager. The Illinois Constitution has made provision for all three types, but well over half of our cities use the Mayor-Council system.

The Mayor-Council Type. Cities using this system of government are divided into political divisions called *wards*; these in turn may be



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subdivided for election purposes into small divisions called *precincts*. Each ward elects two aldermen for a term of four years, one being elected every two years, to serve on the City Council. The number of aldermen varies with the size of the city; for example, cities of less than 3,000 inhabitants must have six aldermen and those between 10,000 and 30,000 will have fourteen. Larger cities elect two additional aldermen for every 20,000 additional inhabitants. The law further provides that every city should have one-half as many wards as the total number of aldermen to which the city is entitled. Thus, if the population of the city would increase so as to entitle it to more aldermen, it would then be necessary for the City Council to redistrict the city into a greater number of wards of nearly equal size in population. In cities of less than 100,000 persons, the number of aldermen may be reduced to one representative from each ward.

An alderman must be a qualified voter, have resided in the city at least one year preceding his election, and live in the ward from which he is elected. He will be ineligible for the office of alderman if he has been convicted previously of wrong-doing in office, bribery, or other crime. He may not hold another paying city office or have a personal interest in a city contract while he is serving as alderman.

The Mayor is the chief executive officer. He is elected by the people of the city at large for a term of four years, except in cities where by referendum or vote of the people a two-year term has been provided for all elective officers. Other officers elected by the people are the City Clerk, the City Treasurer, and the Police Magistrate. The election of all city officers is usually held the third Tuesday of April in the odd-numbered years.

In his capacity as the head of the city government, the Mayor performs somewhat the same duties in the city as does the Governor in the State. He has the power to appoint and remove officers subject to the approval of the Council, presides over the meetings of the City Council, voting only in case of a tie, and signs or vetoes ordinances (city laws). An ordinance may be passed over the Mayor's veto by a two-thirds vote of all the aldermen. From time to time, the Mayor reports to the Council on the state of affairs in the city and recommends any necessary action.

The meetings of the City Council are open to the public. The time and place of these meetings are determined by ordinance. Because of the large amount of governmental business in big cities, the Council is divided into committees which study special problems and make reports on them to the Council with their recommendations. Some of the aldermanic committees are Finance, Police, Fire, Buildings, Traffic, Health and Safety, Streets and Public Works, Parks and Grounds, Licenses and Regulations, and Zoning and Planning.

Powers of the Council. The subjects upon which a Council may act are carefully defined by State Law. The City Council is responsible for good order. It, therefore, organizes the police and makes such other rules as may be necessary to suppress disturbances. It also provides places of correction for petty offenders. The Council is in charge of the safety and health of the people. This includes provisions for the fire department and all health regulations, such as the disposal of sewage, garbage, and rubbish. The Council makes provisions for the use of public property and the proper care of streets, and regulates the use of the latter by public utility companies and by vehicles of all sorts.

The Council also regulates various kinds of businesses within the city limits by requiring licenses from those engaged in them, as in the case of taxicab drivers and peddlers. As the proper management

of all these businesses requires the spending of money, the Council has the right to levy taxes and to borrow money. These financial powers, however, are carefully limited by the Constitution and laws of the State.

The Mayor-Council type of city government appears to be based on our national ideal in government which we also noted in our State government — the principle of separation of powers. In a general way, the Mayor forms what may be called the executive department of city government, the Council of aldermen the legislative department, and the Police Magistrates Courts and City Courts the judicial department.

Defects of the Mayor-Council System. Many cities have functioned successfully under the Mayor-Council system of government. However, several defects may be seen: (1) the plan is too complicated for quick action; (2) it is difficult to find aldermen who have the ability and training necessary to deal with all the varied and numerous problems of the city; (3) much friction and often deadlocks develop among the aldermen from the various wards, for instead of co-operating for the good of the city they often compete with one another in securing special advantages for their own ward; (4) the plan permits too much leeway for partisan politics to creep into the city's government; and (5) it is difficult to place blame if anything goes wrong, because of the numerous officials and the ease with which blame can be shifted from one to another.

Commission Form of City Government. Since the beginning of the twentieth century this form of city government has been developed in the United States in order to remedy some of the defects of the Mayor-Council system. In 1919 the Cities and Villages Act of 1872 was amended to allow cities not exceeding 200,000 in population to use this new form of government. If at least 10 per cent of the voters of the city in the last previous election petition the County Judge, the proposal to change to the Commission form of government can be placed before the people in a general election.

Under the Commission form of government, a Mayor and four Commissioners are elected for a term of four years by the voters of the entire city. The division of the city into wards for governmental purposes is abolished, and these elected officials represent the city as a whole.

The State law provides for the creation of five departments to carry on the work under this type of government. They are: (1) Department of Public Affairs, (2) Department of Accounts and Finance, (3) Department of Public Health and Safety, (4) Department of Streets and Public Improvements, and (5) Department of Public Property. The division of powers and duties of each department is determined by ordinance of the City Council. The Mayor is placed in charge of the Department of Public Affairs, but the heads of the other departments are decided by majority vote of the Commissioners. The Mayor acts as the president of the Council and has general supervision over all other departments to the extent of reporting to the Council for action all matters requiring attention. The Mayor has no veto power but every ordinance passed by the Council must be signed by the Mayor or by two Commissioners. All the Council members exercise executive, administrative, and legislative powers. The Commissioners act as a City Council in passing ordinances, but each Commissioner has one department of city government to administer and is responsible for it. The maximum amount paid to the Mayor and the Commissioners is set by the Illinois Municipal Code.

Any commissioner is subject to recall from office by the voters in a special election, upon petitions signed by 55 percent of the voters in the previous election. The use of the *initiative* and the *referendum* is also provided for under the Commission plan of government. The use of the initiative enables the people to secure desired laws which their city council refuses to enact. Petitions embodying the desired law are circulated and, if signed by 25 per cent of the voters, the proposal is submitted to a vote of the people in a general or special election. If approved by the majority of the voters, the measure becomes a valid ordinance of the city. The use of the referendum enables the people by a petition signed by 10 per cent of the voters to stop an ordinance from being put into effect until it has been submitted to the vote of the people for their approval. The purpose of the initiative and the referendum is to make city governments more democratic. Unfortunately they are rarely used by the people as a whole, but by small groups attempting to serve their own selfish interests.

If, after two years, the Commission type of government does not meet with the approval of the people, they may hold an election to

decide whether this system of government should be abandoned. If the majority of the voters are in favor of abandoning this system, the city will revert to the Mayor-Council system or village government as provided by the general laws of the State.

Defects of the Commission Plan. Although this form of city government spread rapidly at first, its popularity did not continue. At the present time, about 70 cities in Illinois are governed under this system. Few cities are adopting this plan, and several have returned to the Mayor-Council type of government, or adopted the Managerial form of government.

One of the serious defects of the Commission government is the lack of any single authority in control of the entire city government to which all other branches of the government would be answerable. Also, since the Commissioners are popularly elected, they are frequently politicians rather than experts in city government and, consequently, not qualified to serve as heads of the departments.

The Council Manager Plan. In 1951, the Illinois legislature made it possible for a city or village of any size, excepting Chicago, to adopt a Managerial form of government. This change may be made by a majority of the electors voting on the proposal. Under this system, the people elect a Council of Commissioners, which consists of five to nine members depending upon the population of the city. By voters' choice, a city may have as many Commissioners as it had aldermen under the Mayor-Council system. The term of office is four years.

The real administrative head of the city is the City Manager, who is appointed by the Council of Commissioners without regard to his political beliefs or former place of residence. He is responsible for the efficient administration of all departments of the government. He has the power to appoint and remove all directors of the various departments. He recommends to the City Council needed legislation and has the power to enforce all ordinances passed by the Council. Since the City Manager, at the time of his appointment, is not required to be a resident of the city he serves, it is hoped that a well-trained government affairs expert may be found to manage the city.

Under the City Manager plan the Council passes necessary ordinances, makes appropriations, and in general determines the city's policies. Instead of actually performing the duties of city administra-

tion, all administrative functions are entrusted to the City Manager, and he is given broad powers in overseeing the routine details of city government. Selecting subordinates rests with the Manager, subject to civil service rules. He may take part in the Council's discussions but has no right to vote. City government is his responsibility and in cases of poor administration or mismanagement, the Council can replace him. Any city or town which has had a Managerial form of government for four years may abandon it by majority vote.

Whereas the Mayor-Council type of city government was founded on the principle of separation of powers and the republican theory of representative government that elected officials must represent the special interests of those who elect them (in the wards), the City Manager plan is based on a pattern similar to that of modern business management. The qualified voters can be compared to the stockholders, the members of the Council of Commissioners to the board of directors, elected by the stockholders, and the City Manager to the president of a large industrial corporation. In the same manner as the president is responsible for putting into operation the policies decided upon by the board of directors, the Council determines the general policies of the city, and the Manager works out the details and puts them into effect.

The Managerial plan has met with increasing approval. In general, throughout the United States, this plan of city government has provided a greater degree of efficiency, economy, and honesty in government than is usually found under other types. However, the structure or type of city government in operation does not automatically secure good government. Any plan depends for success upon the character of the men placed in charge of it. As long as the people have the right to choose their leaders by free and democratic election, the responsibility for good government rests upon the people themselves. The right to vote involves the obligation to choose wisely.

Government of Chicago. The Cities and Villages Act of 1872 made special provisions for governing Chicago. The Illinois Municipal Code provides special legislation for cities over 500,000 inhabitants. Thus, when the law states that all cities and villages with less than 500,000 inhabitants may adopt the Managerial form of municipal government, it obviously means that Chicago is the only Illinois city forbidden to operate under this form of government.

As in other Illinois cities operating under the Mayor-Council form of government, a Mayor, City Clerk, and City Treasurer are elected for four-year terms. The election of city officials in Chicago is held the first Tuesday in April in the year preceding that of the President of the United States (1963, 1967, 1971). The city is divided into 50 wards with an alderman elected from each ward on a non-partisan basis. Much of the City Council's work is done through Aldermanic Standing Committees, such as Finance, Building and Zoning, Health, and License.

Much of the operation of municipal government is done through various boards, commissions, and departments. The Board of Education, Chicago Park District, Civil Service Commission, Public Works Department, Police Department, and Fire Department are only a few of the agencies. The board and commission members are usually nominated by the Mayor and confirmed by the City Council.

ELECTIVE AND APPOINTIVE OFFICIALS

The Mayor-Council type of city government is by far the most popular, and under it the following officers are elected by the people. Under a Commission type of government these officials are appointed by majority vote of the Council. Most officers must be qualified voters and have lived in the municipality at least one year preceding election or appointment. However, officers who require technical training, such as the engineer or health officer, are not subject to this legislation.

City Clerk. The City Clerk is one of the busiest men in the city government. He takes care of a large share of the city's official correspondence, keeps the city seal, is custodian of all papers belonging to the city, keeps a record of all ordinances passed by the City Council, and issues and records all licenses in the city.

City Treasurer. The City Treasurer is the collector of all city funds, including taxes and fees. He must keep a proper record of all receipts of the treasury. All warrants drawn against the city are paid and recorded by him, and then filed in the City Clerk's office. His books and records are kept open to inspection by the Council at all times. He makes an annual report containing all receipts and expenditures which is filed with the City Clerk.

Corporation Counsel or City Attorney. The Corporation Counsel or City Attorney is the legal advisor of the city and is appointed by the Mayor with the consent of the Council. He takes care of all the legal business of the city, draws up ordinances, deeds, leases, contracts, or any other legal papers the Mayor or aldermen may need.

Other Appointive City Officials. The City Marshal performs the duties necessary for keeping the peace. He sees that the ordinances and laws in the city are observed and enforced and makes arrests if necessary.

In cities over 16,000 in population, Police Matrons are appointed who take care of all women prisoners in the police station, jail, and other correctional institutions in the city.

Some of the larger cities have a City Engineer, Commissioner of Public Works, Superintendent of Streets, Superintendent of Sewers and a Superintendent of Special Assessments who are in charge of all public improvements in streets, paving, sewers, and the like.

Larger cities also have a Health Commissioner appointed by the Council who is a registered, practicing physician. He enforces and carries out city health ordinances and acts as the agent for the State Board of Health both in the city and in the immediately surrounding Communities.

Some cities may have such special boards and commissions as Library Board, Zoning Board of Appeals, Board of Police and Fire Commissioners, and Playground Commission.

THE CITY COURT SYSTEM

The Court of the Police Magistrate. The Police Magistrate is the judge of the Police Court. Only minor violations of the law are tried in this court. It serves as a great clearing house of crime, disposing of cases brought before it by the police, such as drunkenness, traffic violations, disorderly conduct, peddling without a license, and vagrancy. Sometimes it is called the "poor man's court," because in it justice is speedy, and therefore cheap. No officer comes into closer contact with the police than the Police Magistrate. In determining what should be done in a given case, he takes into consideration mainly the word of the officer making the arrest.

The Police Magistrate may conduct either a final hearing or a preliminary hearing in criminal cases. If the offense is a violation

of a city ordinance, the Magistrate conducts a regular trial, either dismissing the case or assessing a fine. If a State law is violated and the penalty is more than a three hundred dollar fine or involves a jail sentence, the Magistrate conducts only a preliminary hearing. The only authority a Magistrate has when conducting a preliminary hearing is to determine whether there is sufficient evidence to bind the defendant over to the grand jury. Criminal cases include such crimes as murder, burglary, larceny, and arson.

Formerly, the Magistrate was paid on a fee basis but this practice has recently been abolished. Now the Magistrate receives a yearly salary fixed by law. All fees, fines, and payments of court costs collected by the court for any violations of city ordinances are accounted for to the City Treasurer. The court does not profit by having a large number of defendants, and the "speed or traffic traps," found in small communities where the Magistrate and Police Department work hand in hand to secure a large sum of money in court costs, are eliminated.

City Court. By State law, a separate City Court may be established in any city of three thousand or more population. The question must first be submitted to the voters and must carry by a two-thirds vote. Several Illinois cities now have separate City Courts.

The City Court has the same jurisdiction as the Circuit Court in all civil and criminal cases arising within the city. The judge of the City Court is elected by the qualified voters of the city for six years. His salary, however, is paid by the State and varies according to the size of the city. The Clerk of the City Court is also elected for a term of six years, but is paid by fees and six dollars per day for attendance in court.

SPECIAL COURTS IN COOK COUNTY

Superior Court. In Cook County there is a Superior Court, which is practically the same in all respects as the Circuit Court. It is convenient in such a large county to have two different courts with about the same powers. As this old court was in operation a long time ago, it was continued under the present constitution. Therefore, there are 53 Superior Court judges as well as 20 Circuit Court judges, and while each court has its own clerk and records, they have to do with practically the same kind of legal matters.

Criminal Court. In Cook County there is a Criminal Court to try the criminal cases. It occupies a separate building on the north side of Chicago, near the county jail. The judges who sit in the Criminal Court are the Circuit and Superior Court Judges, assigned from time to time to that work. This court has its own clerk and other officers.

Municipal Courts. In Chicago, the Justices of the Peace Courts were abolished in 1905 and a Municipal Court was established instead. It also takes the place of the City Court and Police Magistrate Court found in other cities. It consists of one chief justice and 36 associate judges elected for terms of six years, one-third being elected every two years. The elections are held on the first Tuesday after the first Monday in November in the even-numbered years.

Most of the cases tried in this Court involve small amounts of money or offenses of lesser magnitude. Unfortunately, the Municipal Court has not fulfilled the great expectation of those who had hopes for a cheap and efficient administration of justice in Chicago. Court costs increased rather than decreased, and the legal processes became more complicated rather than being simplified. Politics too often has played an important part in the election of the judges as well as in the dispensing of justice.

Special Courts. In a large city like Chicago it is found advisable that one judge shall hear a certain class of cases instead of dividing the cases among all the judges without regard to the type of case. Hence, there are a number of judges hearing special cases, and those judges have come to be called by special names as if there were special courts. In this manner are formed a Juvenile Court (to take up cases concerning boys and girls; a Morals Court; a Court of Domestic Relations; and a Traffic Court (for violators of the automobile laws).

SPECIAL-PURPOSE DISTRICTS

One important type of local governmental unit in Illinois of recent development is the Special-Purpose District. Established under State law, the Special-Purpose Districts furnish many important services to the citizens by supplying fire protection, providing water and sewage systems, developing public housing projects, building airports, and providing drainage and soil conservation.

These Special-Purpose Districts are increasing in number. In 1957,



Century Photos

COOK COUNTY CRIMINAL COURTS BUILDING, CHICAGO

special districts comprised about 28 per cent of the 6,500 total governmental units in Illinois. In 1961, the 1800 special districts actually outnumbered counties, cities, and villages combined. However, in contrast to the county or city which furnishes a large number of services, the Special-Purpose District usually furnishes a single service only.

Reasons for Special-Purpose Districts. These special services are often provided by counties, townships or other units of local government, but for various reasons a special district is sometimes set up to supply the service instead. For example, a thickly settled area outside the corporate limits of a city may not want to be annexed to the city, or the city may refuse to permit its annexation. In order to secure water and sewage disposal, a special district is set up to build and

operate distribution facilities. Local governments are severely restricted in their taxing and borrowing power by state law. Therefore, a city may find it difficult to take on new functions, particularly if it is already taxing near its legal capacity or has borrowed to its legal limit. Sometimes two units of local government, two towns, or a city and a county, may wish to join together to offer a single service such as an airport. Thus, a Special-Purpose District is the best way to provide the desired facility. Among the many types of special-purpose districts, the most common are airports, fire protection, forest preserves, hospitals and sanitariums, housing and urban development, parks, public health, soil conservation and wild life.

Organizing a Special-Purpose District. A Special-Purpose District requires legal authorization by the State and local action by the people. Usually the interested citizens draw up a petition and circulate it within the boundaries of the proposed district. If a sufficient number of voters sign as required by State law, some designated authority, usually the county judge, will call a special election in the area. If the majority of the voters ratify the proposal the special district begins to function as soon as a governing body is appointed or elected. These special districts have their own independent governing boards, the members being elected or appointed by a mayor, a county judge, or the Governor. They also have independent sources of income, their funds coming from fees from the sale of services, borrowing, grants-in-aid, taxation, or special assessments.

REVIEW QUESTIONS

1. What proportion of the people in Illinois live in urban communities?
2. How were towns incorporated before 1870?
3. How large must a community be before it may incorporate as a village?
4. Describe the government of a village. When are the officials elected? What is their term of office?
5. How large must a community be before it can organize as a city?
6. What are the three chief types of city government?
7. Describe the political divisions of a city government under the Mayor-Council system. How are these divisions determined?

8. What are the chief qualifications for being an alderman?
9. Describe the organization and duties of the City Council.
10. What are some of the defects of the Mayor-Council system of city government? In what ways did the Commission form attempt to remedy these defects? Explain why it proved unsatisfactory.
11. Describe the organization of city government under the Commission plan.
12. Explain how the recall, the initiative, and the referendum would make city government more democratic.
13. Describe the organization of city government under the City Manager plan.
14. Do you think the City Manager type of government would provide a more economical and efficient government for your city? Why? What obstacle might prevent your city adopting this government? Can you give a reason why this obstacle exists?
15. In what way does the relation between the City Clerk's office and the City Treasurer's office provide a "check and balance" system?
16. Under what type of government does your city operate?
17. When does the Council meet in your city? Attend a meeting and make a report to the class of its activities.
18. Make a chart of the chief officials in your town, giving the names of the present officeholders, and their chief duties.
19. Under our democratic system do you think it is true that "in the long run, a city usually gets the kind of government it deserves"? Explain.
20. What types of cases will be brought before the Police Magistrate? In which cases may he conduct only a preliminary hearing?
21. Why was the abolition of the "fee system" desirable?
22. Does your city have a City Court? What is the jurisdiction of this court?
23. Why is it necessary for a large city like Chicago to have various types of courts? Describe the court system of Cook County and Chicago.
24. Why have Special-Purpose Districts become important? How are they organized and managed?

UNIT III

HOW OUR OFFICIALS ARE ELECTED

CHAPTER IX

VOTING AND ELECTIONS

Free elections provide the safeguard of the people's rights and liberties. Hence, this right should be exercised carefully, and the voter should use his best judgment at each election. Unless the voters participate in the elections of their public officials and in the determination of public policies, they should not criticize what is done.

In the early days of the State each voter went to the polls and declared by voice for whom he voted, and the judges and clerks took down his choice by tallies. This was a poor method of holding an election, because the voters for a candidate or an issue which was unpopular at some polling places might be embarrassed or intimidated in declaring their choice.

The next plan was to have a printed ballot upon which the names of the candidates of some particular party were printed. This ballot was handed to the judge of the election and placed in a ballot box. This method was followed for many years and was more satisfactory than the old way. The voter was practically limited, however, to the names on one of the party tickets and did not have much chance to vote for a candidate who happened to be on some other ticket than the one that contained most of his candidates.

The Australian Ballot. In 1893 Illinois adopted the Australian Ballot System, so called because it follows the general system which originated in Australia. Under this system, the candidates for each party are arranged in a vertical column, one under the other, according to the offices for which they are running. The column at the left hand is usually of the party which is for the time in control of the printing of the ballots, that being recognized as the legal and proper method of placing the parties. At the top of each column is the

party name, and at the left of that name is a circle of the size prescribed by law. At the left of each candidate's name is a square of a certain size.

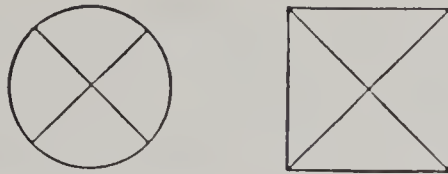
How to Vote. If the voter desires to vote a "straight" ticket, that is, for all the candidates of one party, he places a cross in the circle at the left of the party name; and the judges will count one vote for each of the candidates on that ticket (except for members of the House of Representatives of the General Assembly; see minority representation, page 27).

If the voter wishes to vote for most of the candidates on one ticket but for some candidates on one or more of the other tickets, he crosses the squares before the names of the candidates on the other tickets for whom he wishes to vote and also makes the cross in the circle of his own party. That is what is known as voting a "split" ticket. In that case the party ticket is counted for all of the candidates of his party ticket except those offices where he crossed a square in some other column, and the ticket is counted for those candidates on other tickets.

In the case of a "split" ticket, the voter must be careful to vote for no more candidates for any given office than there are to be elected, because if he does so, his vote will not be counted for that office. The fact that he has crossed in the circle and then crossed in the square before some candidate on another column does not mean that he has voted for two candidates for that office, but only for the one indicated by the cross in the square. If a voter wishes, instead of using the cross in the circle, he may vote entirely by crosses in the squares, voting for persons on any ticket he may desire.

He may also vote for a candidate whose name is not printed upon the ballot by writing in the name of the candidate of his choice and making a cross in the square which he has placed before the name. This vote will be counted in the same way as those for the other candidates.

It is very necessary that the voter make a cross and that the two lines cross within the square or within the circle. The mere fact that the ends of the lines, making the cross, extend outside the circle (or square) does not make the ballot void if the point where the two lines cross is within the circle (or square). This illustration shows how to mark a circle or a square correctly:



Voters should not use any other mark in voting. It makes a ballot void for a voter to write his name on the ballot, to write "no" before or after a name, or otherwise to deface a ballot in such a way that it may be distinguished from other ballots. The judges are supposed to cast out any defaced ballots in counting the votes.

The three fundamental rules governing the validity and counting of the ballots are:

1. A cross in the circle at the head of a party column always yields to a cross in the square before the name of the candidate.
2. The intention of the voter should be carried out, if it is possible to do so in consistence with the law.
3. There should be no distinguishing marks on the ballot, which could show the identity of the voter.

The Australian Ballot makes it very difficult to hire voters to vote a certain way because the person paying the bribe cannot be certain that they voted as they promised to vote. But if the person could mark a ballot in a certain manner, a corrupt judge could keep watch to see if such a ballot were voted. Hence, the law states that no ballot containing "distinguishing" marks is legal.

Voting by Machines. Any municipality, county or election district may use voting machines if approved by a referendum vote. Any governmental unit using voting machines may combine as many as four election precincts into a single area so as to contain about 400 voters for each voting machine used. To provide for honest elections, the care and preparation of the machines for voting, the duties of election officers supervising the use of the machines, the election procedures, and the counting and recording of the ballots from the machines are carefully spelled out by law.

Election Officials. The responsibility for registering voters, establishing election precincts and the general conduct of elections is usually entrusted to the County Board or a Board of Election Commissioners. Their authority involves the establishment of polling places, distribution of election materials and supervision of election procedures.

In the appointment of election judges and clerks to serve in the polling place, the law requires that equal representation be given to both of the major political parties. In order to secure competent and well-qualified election judges, the law provides for the establishment of a training course with additional compensation for the judges so trained. The law also carefully defines the number and conduct of challengers and watchers assigned to the polling places by each political party.

Qualifications of the Voter. In order to vote, a person must be a citizen of the United States, at least 21 years of age, and have lived 30 days in his precinct, 90 days in the county, and one year in the State.

Permanent Registration. In an attempt to eliminate fraud in elections, the State Legislature passed a law in 1942 providing for permanent registration of voters. Many large cities of Illinois had used the permanent registration system for several years. In order to be eligible to vote, all voters must now register their name, address, age, place of birth, party, etc., with the County Clerk who has full charge and control of this registration.

Books containing these registration certificates are used at the polls on election day, and, by the comparison of signatures, the eligibility of the voters is determined.

No registration can be made later than 28 days preceding any primary, regular, or special election. Following the election in 1946, and every four years after that time, the County Clerk must check the record of each voter. If the record of the voter shows that he has not voted at any election in the period of four years, the Clerk must then send a notice to this effect to him. If the voter wishes to be an eligible voter again, he must reregister; or if he still lives at the same address shown on his card, he may apply for reinstatement.

If a voter moves from one county to another county, he must register again in this new county in order to meet all qualifications for voting.

Absentee Voting. Any qualified, registered voter who is forced for some reason to be away from the county on election day is permitted to cast an absentee voter's ballot. Thus, a voter who thinks he will not be able to appear in person at his polling place to cast his vote should make application for such a ballot to the County Clerk or the

Board of Election Commissioners not more than 30 days nor less than 5 days prior to the date of the election. After filling out the blanks and affidavit, the voter then goes to a notary public in whose presence he secretly marks his ballot. The ballot is then sealed in an envelope and returned to the election official in time so that it may be delivered and counted at the proper polling place on election day.

Nominating Candidates. In Illinois there are several ways in which candidates get their names on the ballot. This is all carefully governed by State law.

One way of nominating candidates is through the use of the *primary election*. The primary election is a party election and is the means by which a political party selects its candidates. All candidates using this system must affiliate with a certain party, so that the voters of each party have the opportunity to express their choice of the various candidates seeking the nomination.

Any qualified citizen desiring to run for a certain political office may get his name on a party's primary ballot by filing a petition signed by a sufficient number of qualified voters with the Secretary of State, County Clerk, or City Clerk, depending on what office he is seeking. Since there will probably be several petitions circulated and filed, a party ticket in the primary election usually gives the names of several candidates for each office.

The number of signatures required varies according to the office. If it is for some village, city, township, or county office, it will usually require the signatures of at least one half of one per cent of the qualified primary voters of the party of which the candidate is a member. If it is for a state office, the petition must be signed by not less than 5,000 or more than 10,000 primary voters of the candidate's party. The persons circulating these petitions must adhere to certain regulations and must sign an affidavit at the bottom of each sheet stating that the signatures are all valid. The petition must then be filed within a period of a certain number of days (40-55 days for local offices, 70-78 days for State offices) before the date of the primary election. The candidates receiving the highest number of votes from their party in the primary election are the nominees of the party in the general election. These names are certified to the election officials, who will have them printed on the ballot for the regular election.

In a primary election, not only must the candidate affiliate with a particular party, but the voter also must declare himself to be a member of a political party. Since the names of the candidates of each party are printed on separate ballots, the voter can only request his party's ballot and indicate his choice of candidates thereon. This is known as a *closed primary*. However, the fact that he votes for a single party's candidates in a primary election in no way controls his freedom of choice in voting for candidates of other parties in the regular election. Although sometimes criticized as placing too much stress on party politics, the party primary method of nominating candidates for local, county, and state offices is the most commonly used system today in Illinois.

Time of Primary Elections. The primary elections are held on the second Tuesday in April preceding the general election of county, state, and national officials, which is always held the Tuesday after the first Monday in November of the even-numbered years. The primaries for nominating officials to be elected on the first Tuesday and third Tuesday in April are held on the last Tuesday in the preceding February. The primaries for other elections must be held seven weeks preceding the regular elections.

Nominating by the Party Caucus. Another way in which a political party nominates candidates is by the *party caucus*. The leaders of the party call a rather informal meeting to determine whom they desire as candidates for the various offices. According to State law, only the regularly elected party officers may call such a meeting, and it must be held at a convenient place and time. The names of persons thus chosen as candidates are then sent to the proper election official, who places them on the ballot.

Nominating by Party Convention. The State law also provides for the nominating of candidates for certain offices through the medium of party committees meeting in convention. By this method ward, township, and precinct committeemen are elected by party members in the party primary. These committeemen make up the County, Congressional, and Municipal central committees which carry on party activities in their respective areas. The county central committee of each party holds a county convention at which time delegates to a state convention are chosen.

These party state conventions have the power to make nomina-

tions of candidates for the electors of President and Vice President of the United States, for Trustees of the University of Illinois, and to select delegates to the National Nominating Convention of the party which draws up the national party platform and chooses the presidential and vice-presidential candidates. The Judges of the Circuit Courts, the Superior Court of Cook County, and the Supreme Court of Illinois are also nominated by political party conventions.

Independent Nominations by Petition. The State law also makes provision for the nomination of persons seeking office who are not affiliated with any recognized party. By law, a political party is defined as a group which cast more than 5 percent of the entire vote in the previous regular election. No group is qualified as a political party or placed on the ballot that is directly or indirectly associated with Communist, Fascist, Nazi, or other un-American principles or engaged in subversive activities to overthrow by violence the constitution of the United States or Illinois. Any qualified citizen may have his name placed on the ballot as an independent candidate if he circulates a petition and secures the required number of signatures. In the case of State officers, the signatures of 25,000 qualified voters, gathered from at least 50 counties of the State, are required. The number of signatures required for local officers must be between five and eight per cent of the number of persons who voted in the last election in that district. This nominating petition must then be filed within a given period before the general election with the proper designated official who then sees that the name is placed on the ballot.

REVIEW QUESTIONS

1. From the discussion on *How to Vote*, decide whether in the following nine cases the judges should count the ballot, cast the ballot out as illegal, or count part of the ballot. Give reason for your decision in each case.

a. A voter drew a mark through the name of one candidate and put a cross in the square in front of his opponent.

b. After placing the crosses correctly in the square in front of the candidates for whom he wished to vote, the voter signed his name at the bottom of the ballot.

c. In a school election a voter marked a cross in front of a

candidate for president, but did not mark a cross in front of any of the candidates for members of the board.

d. Instead of making a cross in each square, a voter drew only one diagonal line across the square of each candidate for whom he voted.

e. Instead of writing in the name of a candidate in a blank space provided on a ticket, a voter pasted on a printed slip containing the name of the candidate for whom he wished to vote.

f. In a school election in which a voter was to vote for two candidates for members of the Board of Education, he voted for three of the four candidates.

g. In marking his ballot for representative to the General Assembly, he voted for two representatives of one party and also voted for one of another party.

h. The voter placed a cross in the circle before the party and then made a cross in the square before a candidate in another column.

i. The voter placed a cross in the circles before two parties, one of which did not have a full slate of officials on the ballot.

2. What is the simplest method of voting for all the candidates of one party? What is this method of voting called?

3. What are the qualifications of a voter in Illinois? Are these the same for national elections?

4. What was the purpose of the Permanent Registration System? How does it achieve this purpose?

5. Mr. Smith learns that he must take a business trip to another state at the time of an election. Is there any way in which he can cast his ballot? Explain.

6. Explain the procedure by which a candidate gets his name on the ballot under the primary election system.

7. Explain the Party Convention system of nominating. What officials are nominated in this manner?

8. How does a candidate who runs as an "independent" get his name on the ballot?

UNIT IV

HOW OUR GOVERNMENT SERVES US

CHAPTER X

EDUCATION

PUBLIC SCHOOLS

In Illinois, approximately 2,000,000 pupils are enrolled in the public schools. Over one fifth of the State's total revenue and one half of the local revenue are spent for education.

Each county and township is divided into school districts of a convenient size, the main consideration being that there shall be enough pupils to warrant the holding of a school and that the district shall be large enough so that the taxpayers can support a school.

Board of Directors. If a district contains less than 1,000 inhabitants, the school is conducted by a Board of Directors consisting of three members, elected by the voters of that district. The directors serve for a term of three years, one being elected each year at an election held on the second Saturday in April.

Within ten days after the school election, the directors must meet and elect one member for president and another for clerk.

The directors employ the teachers, adopt rules and regulations for the management of the school, visit the school, pay the teachers, buy the necessary supplies, arrange for the repair of buildings, provide for new buildings, and perform such other duties as the needs of the school require. However, bonds may not be issued nor school houses built without consent of the people. The directors are required to show a detailed statement of receipts and expenditures at the annual school election, for inspection by the voters of the district. The directors must keep the school in session at least nine months each year and provide a school year of at least 176 pupil-attendance days and legal school holidays and at least two but no more than four days of teachers' institutes.



Peoria Association of Commerce

WOODRUFF HIGH SCHOOL, PEORIA

Peoria's school systems provide up-to-date educational facilities.

School directors receive no pay for their services. The Board of Directors, however, may pay the clerk a salary for his services.

Securing School Funds. About 80 per cent of the money needed for school support comes from taxes levied in the district and about 2 per cent from Federal funds. The authority of the directors to levy a tax for educational and building purposes is limited by law. Legal tax rate limits may be increased by a referendum vote.

In addition to the local and Federal funds, the State contributes from the general treasury 16.4 per cent of the cost of public education. The State Legislature has established a *distributive fund*, which is distributed to the counties and in turn to the various school districts. This now gives aid to both high schools and elementary schools. Elementary schools receive \$47 on a flat rate basis per pupil and high schools receive \$32 per pupil in average daily attendance. If the school term is less than nine months in length, the district is not entitled to its share of this distributive fund.

In localities where the assessed valuation of the property is not sufficient to provide for adequate educational needs, the State has set up an *equalization quota* from which payments are made to these poorer school districts. This assures a minimum of \$252 per pupil in both elementary schools and high schools throughout the state.

Reimbursement funds are also provided to school districts for

money spent in educating certain types of handicapped children and orphans. The amounts refunded depend, of course, upon the type and extent of the program.

Board of Education. If a district contains a population between 1,000 and 500,000, the schools are conducted by a Board of Education consisting of seven members. The board chooses a president from among its number, and the president has a right to vote on all questions. In Chicago the members of the School Board are appointed by the Mayor.

In the election for members of the Board of Education an official ballot must be used. A school board member must be a resident and a voter in the district which he serves. The candidates whose names appear on this ballot must be nominated by petitions containing the names of voters equal to ten per cent of the number of votes cast at the last school election, or the names of fifty voters of the district. These petitions must be filed with the Secretary of the Board of Education at least 21 days before the time of the election. The annual election for members of the Board of Education usually is held on the second Saturday in April.

Compulsory Attendance. Every child between the ages of 7 and 16 must attend some public or private school for the entire time that the school is in session unless excused by the teacher for sickness or other just cause. A parent who fails to cause a child to attend school according to this law is subject to a fine of not less than \$5 nor more than \$20 for each offense. A truancy officer must be appointed in each county to enforce this law.

Working Permits. Any child between the ages of 14 and 16 may be granted a permit to work 3 hours on school days and 8 hours on Saturdays or Sundays between 7 a.m. and 7 p.m. when schools are in session. The permit will be granted upon presentation by the applicant of a letter of intent to hire from the employer describing the work and hours of work; written approval of the child's parents, his birth certificate and a statement signed by the school principal. Children from 16 to 18 years of age employed in industries engaged in interstate commerce are urged to secure a certificate of age from the superintendent's office.

Consolidated Schools. In some localities it has been thought best to consolidate several school districts in order that a better-graded

school may be established. Transportation to and from school is usually furnished to the pupils by the school district. The affairs of the consolidated school are usually administered by a board of seven members.

Township High Schools. A majority of the voters of a township may vote to establish a township high school. In such a district the whole township supports the high school. A township high school is governed by a Township Board of Education consisting of seven members.

Community High Schools. The Community High School district is larger than the ordinary school district. A given portion of territory is made into a high school district and a school building for high school purposes is erected or rented. The boundaries of a community high school district are stated in a petition which must be adopted by a majority of the voters at a special election called for that purpose.

Community Unit School Districts. This is the most recent type of school district created by the General Assembly. Its purpose is to consolidate districts with small populations and low assessed valuations into larger, stronger school units. This district must meet requirements as to population and assessed valuation of the district.

It must provide education through the elementary grades and high school. Also, it must provide transportation for those pupils residing at a distance from the school centers.

Many small school districts now have been voted into Community Unit Districts. A few years ago, there were more than 12,000 school districts. Today there are about 1,550.

Parochial Schools. In addition to the public schools, there are a large number of church-supported or parochial high schools and grade schools in Illinois. The Catholic Church and the Lutheran Church maintain the largest number of these schools, which usually provide also some religious training.

Special Schools. Many cities provide special schools or classes for handicapped children within the city and the surrounding area. Sight-saving classes, special work for the hard of hearing, and special vocational and recreational work for crippled or retarded children are included in this type of school program. As previously mentioned, the State contributes funds for carrying on this work. Although over 80,000 children receive benefits under this program, it is estimated

that this number represents only about one-third of the children who need special classes and services.

HIGHER EDUCATIONAL INSTITUTIONS

Illinois has over 130 public and private colleges or universities. The State's tax-supported school system includes two universities, four teachers' universities, and twenty-one junior colleges.

The University of Illinois. The largest of the higher educational institutions is the University of Illinois located at Urbana-Champaign. The University was first incorporated by an act of the General Assembly of Illinois, on February 28, 1867. A year later, on March 2, it opened with an enrollment of fifty students and a faculty consisting of the regent and two other men. Today the faculty numbers about 4500 members, and the total enrollment now exceeds 30,000 students. An additional 10,000 students are enrolled in off-campus classes.

The main campus at Urbana-Champaign includes some 535 acres of land and 1864 acres of experimental farms adjoining the campus. The University includes a 771-acre airport, 1745-acre Allerton Park and 4-H Camp, 145 acres of timber reservations and a 219-acre radio telescope site. These together with other farms located in 34 counties of the State make up a total of 6273 acres.

The University is composed of 19 colleges, schools, and research units, as well as various State agencies. The campus for the colleges of Medicine, Dentistry, and Pharmacy, and associated health-serving units is a part of the Illinois Medical Center in Chicago.

The remaining schools and colleges which include Agriculture, Commerce and Business Administration, Engineering, Law, Education, Fine and Applied Arts, Graduate School, Journalism, Liberal Arts and Sciences, Library, Music, Physical Education and Veterinary Medicine are located on the Urbana-Champaign campus. The State Geological, State Natural History, and State Water Surveys are also located here.

The University's library of books, maps, pamphlets, and pieces of music is the largest of all State University libraries and third among all American universities. The library ranks fifth in total collections among all libraries in the United States.



University of Illinois

ILLINI UNION BUILDING, UNIVERSITY OF ILLINOIS, URBANA, CHAMPAIGN

A nine-member Board of Trustees is in charge of the University. They are elected by the people for a term of six years. The Governor and the State Superintendent of Public Instruction are ex-officio members of the Board of Trustees. The University of Illinois is supported by an appropriation from the General Assembly.

Southern Illinois University. Opened in 1874 at Carbondale as a teachers college, Southern Illinois University outgrew its original purpose and is now a university serving primarily the needs of the thirty-one counties of southern Illinois. It includes the Colleges of Education, Liberal Arts and Sciences, the Graduate School, the Schools of Agriculture, Business, Communication, Fine Arts, and Home Economics. It offers a liberal arts education for students who wish to prepare for professional schools, as well as for those interested merely in a good general education. Graduate work is offered in 48 departments. A sixth year program is also available for teach-

ers already holding the master's degree. Some 15,000 students are enrolled at Southern Illinois University. A separate Board of Trustees of seven members, appointed by the Governor with consent of the Senate, is in charge of the University.

Other State Universities. Four universities place major emphasis on teacher education. Located in various parts of the State, they are under the control of a Board of eleven members, nine of whom are appointed by the Governor for six-year terms. The Director of Finance and the State Superintendent of Public Instruction are ex-officio members of this Board. All programs of the four universities are submitted to the Board for approval. These universities are supported with appropriations made by the General Assembly.

Illinois State Normal University, located at Normal and founded in 1857, is the oldest of these institutions specializing in teacher training and the oldest State-supported higher educational institution in Illinois. It adheres to the purpose for which it was founded and remains a professional school for the primary purpose of educating teachers for all types and levels of school programs anywhere in the country. It now offers a doctoral program in selected areas. Extension classes, adult education programs in the surrounding territory and visitation of schools by staff members are some of the many services rendered by the University and its staff.

Eastern Illinois University at Charleston was founded in 1895. In addition to its teacher-training courses, it has a four-year program for persons interested in business administration and a two-year general college program that affords a background for professional work and for work in other fields. This trend toward two-year general education or pre-professional study has been accepted by nearly all of the State universities in Illinois to meet a much-felt need for expanding educational opportunities in areas served by these schools. Extension classes are offered to aid in-service teachers.

Northern Illinois University, founded in 1895, is located in DeKalb. While continuing to emphasize teacher training, it has expanded its program by offering both Bachelor and Master degrees in Science and Arts. It also has underway a program for preparation on the Doctoral level. Aid to teachers in the field is carried on through the extension service of the college.

Western Illinois University, founded in 1899, is located at Macomb.

It offers a four-year teacher-training course for the teachers of Illinois and provides a two-year general college course for young men and women who do not wish to teach. Work leading to the liberal arts degree, Bachelor of Science, and Master of Science in Education degrees are now available. In addition, special workshops in the various fields are held on the campus to aid in-service teachers, and extension classes are provided at other centers in the area. In recent years several study travel tours have been taken to foreign countries as well as to many parts of the United States.

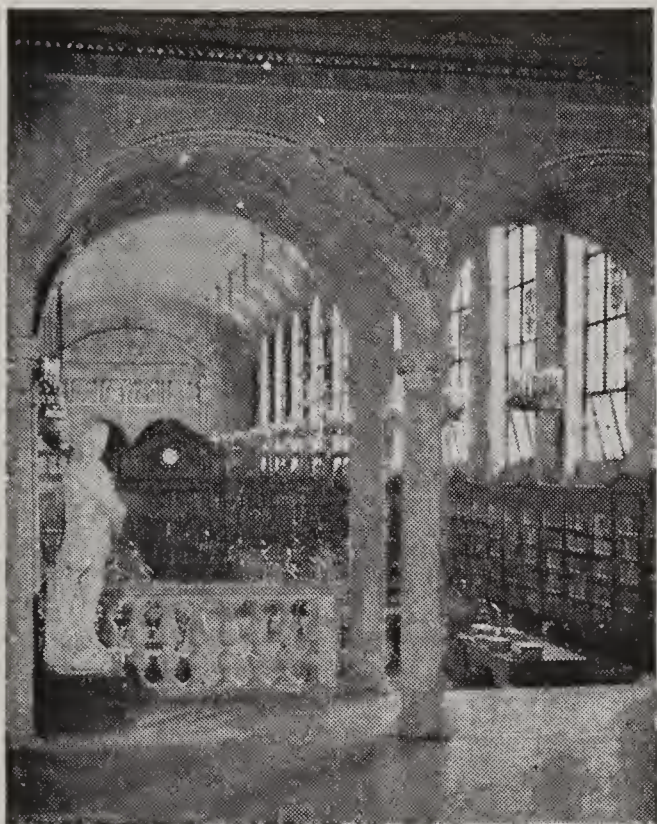
OTHER EDUCATIONAL INSTITUTIONS

State Library. The Illinois State Library contains more than 1,100,000 items — books, pamphlets, magazines, and documents. Its Art Unit contains a collection of nearly 50,000 pictures covering all types of subjects and its Music Unit has a collection of almost 25,000 phonograph recordings. It serves as a general library for the State, adding to the resources of the smaller libraries.

The extension service offered by the library is provided free of charge. Schools, club groups, individuals, libraries, and churches borrow books and materials which their local libraries do not and cannot provide. The library has 10 bookmobiles, six of which carry from 2400 to 3000 books on loan to libraries throughout the State, and four that are loaned to libraries for experimental purposes. The library has two branches, one at Southern Illinois University in Carbondale and the other at DeKalb, serving 48 counties of the State.

The Archives Division, supervised by the Assistant State Librarian, takes care of State records which must be kept in a permanent and available form because of their historical or legal value.

Illinois Historical Library. In 1889, the Illinois State Historical Library was established. The most complete collection of Illinois Historical material is to be found in this library. It contains histories of every county in the State and of many towns and cities; a map collection showing Illinois from the time of its discovery to the present; thousands of prints and photographs representing persons, places, and events; a collection of Illinois newspapers containing nearly 11,000



Division of Department Reports

STATE HISTORICAL LIBRARY

This is an interior view of the library which, located in the Centennial Building at Springfield, is filled with much valuable information on the history of our State.

bound volumes; 46,000 rolls of microfilm; and complete sets of Illinois laws, journals, and State reports. The State Library maintains a cooperative project with the Visual Aids Service of the University of Illinois which makes a large motion picture film collection available for loan, free, to libraries and other groups throughout the State.

The Library's Lincoln Collection is unsurpassed. It contains some 1,250 original manuscripts, over 7,500 books and pamphlets on every phase of his life, newspapers and letters of his day, and many prints, photographs, and cartoons furnishing a complete pictorial record of his time and life.

Some of the volumes and papers can be loaned to smaller libraries

in the State. Other books and papers are too rare, too costly, and too difficult to replace, and must be kept within the library and used there. Anyone may use this material by visiting the library.

State Museum. A few of the many exhibits available at the State Museum include large life-sized specimens of birds and animals, not only those native to Illinois, but also many from various foreign countries; tools, clothing, and handiwork of peoples of other lands; Indian lore and handiwork of pottery, beaded garments, ornaments, and arrows; displays of the story of the Mound Builders; and specimens of wild flowers, tree flowers, seeds, and rocks. The "Story of Illinois" is depicted in twelve dioramas.

There are also galleries containing many valuable paintings. An Oriental Room displays Chinese ancestral portraits, costumes of the royal family, figures, carvings, and ornaments.

Every effort is made to make the Museum available to the people of the State. Not only are guide services and special lectures offered

at the Museum but a Museumobile tours the State giving over 1,000,000 people each year the opportunity of seeing its many exhibits.

The museum also has a continuous program of archeological excavations and research. Excavation in the Cahokia Mounds group near East St. Louis represents the largest single archeological work in the Central United States since 1940 and work at the 1200 year old Indian village at Dickson Mounds has shed new light on Middle Mississippi Indian culture.

REVIEW QUESTIONS

1. When are the school directors elected? What are their duties?
2. What is the chief source of income of the schools of Illinois? From what other sources do the schools secure funds?
3. From what sources does your school receive its revenue?
4. Between what ages is every child compelled to attend school? Are there any exceptions to this compulsory attendance law?
5. How old must a child be before a working permit may be granted? What other requirements are necessary before a working permit may be granted?
6. Distinguish between a consolidated school, a township high school, a community high school, and a community unit district.
7. What is a parochial school? Are there any in your community?
8. What is the largest educational institution in Illinois? What are some of the branches of specialized learning taught here?
9. How has Southern Illinois University outgrown its original status as a teachers college?
10. Name and locate the four State universities. Which one is located in your part of the State? What is their primary purpose?
11. In what ways can the State Library be of service to the people of your community?
12. If you were to take a trip to Springfield, what would you find in the State Museum that might interest you?

CHAPTER XI

PUBLIC WELFARE AND PUBLIC SAFETY

PUBLIC WELFARE

Department of Mental Health. This Department carries on many kinds of programs for the curing, training, and rehabilitation of those in its care and, when possible, sends them back to their families and homes ready to take up their lifework again.

The first unit of what is now the Department of Mental Health was the State School for the Deaf at Jacksonville. It was established in 1839 before even the public school system was founded. The Department of Mental Health is organized and divided into five sections: Administrative Service, Physical Plant Service and Reimbursement Service — each directly under a deputy director; and two program services, Mental Health Service and Children's and Specialized Service, each directly under a director and a deputy director.

The Mental Health Service is in charge of the institutions and clinics for all mental patients, including the division for men and women who have been in the service. A place where mentally ill persons were kept used to be called an asylum, and sometimes the patients were very badly treated. Today these unfortunate persons are given such care that their lives may be as happy as possible and that they may perhaps be restored to a healthy state. The most humane treatment is provided for the care of these unfortunates.

The twelve State Hospitals for the mentally ill are located at Alton, Anna, Chicago, Dixon, East Moline, Elgin, Jacksonville, Kankakee, Lincoln, Manteno, Peoria and Tinley Park. The Illinois Security Hospital for the criminally insane at Menard is also a part of this service. Schools for the mentally retarded are located at Dixon and Lincoln.



Department of Mental Health

ILLINOIS STATE PEDIATRIC INSTITUTE IN THE STATE MEDICAL CENTER,
CHICAGO

Patients are given careful examinations before being admitted to any of these hospitals; often cases may be taken care of at home as well and as easily as in the hospital. Convalescents are released to their own homes, instead of being kept indefinitely in institutions, when such release is considered safe and helpful to their welfare.

Three institutes provide research, training, and treatment for mental illness and retardation at the State Medical Center in Chicago: Illinois State Psychiatric Institute (mentally ill), Illinois State Pediatric Institute (mentally retarded), and the Institute for Juvenile Research (child guidance).

The Children's Service Unit includes the Illinois Braille and Sight Saving School and the Illinois School for the Deaf at Jacksonville; the Illinois Children's Hospital-School, Chicago; The Illinois Soldiers' and Sailors' Children's School, Normal; and the Southern Illinois Children's Service Center, Hurst. Child Welfare services are provided through seven regional offices at Rockford, Chicago, East St. Louis, Peoria, Springfield, Champaign, and Carbondale. The new Southern Illinois Children's Center at Bush is available for temporary care of dependent or neglected children.

The Specialized Service Unit includes the Illinois Eye and Ear Infirmary and the Illinois Visually Handicapped Institute in Chicago; the Illinois Soldiers' and Sailors' Home, Quincy; and the Soldiers' Widows' Home of Illinois, Wilmington.

The Physical Plant Service administers the Department's program for the maintenance and operation of institutions in which the daily care of 50,000 patients requires the operation of approximately 11,000 acres of land and 1,250 buildings.

The Reimbursement Service assists in the discovery and safeguarding of patients' estates and money. The Administrative Service aids the other Services in personnel management, financial control, research, and statistics.

Public Aid Commission. This special commission is under the supervision of the Governor of the State. It is composed of the State Auditor, State Treasurer, Director of Finance, and seven members appointed by the Governor for two years. Its chief work is to supervise the administration of relief by local governments and to distribute State funds to them for relief purposes. This commission is in charge of all Federal aid programs, such as Old Age Assistance, Aid to Dependent Children, Blind Assistance, and Disability Assistance.

In carrying out its work, the Commission cooperates with other Federal, State, and local agencies in providing relief funds and in developing projects and programs which provide rehabilitation and reemployment of persons on the relief rolls. The Federal Government pays over 40 per cent of the cost, the State Government over 50 per cent, and local governments less than 10 per cent.

Protection of Workers. As the cities of Illinois developed industrially, government protection for the worker in industry became necessary. The Department of Labor acts as a guardian of men, women, and children in promoting and establishing health-protecting practices and equipment, and in requiring the adoption of safety devices for the reduction of industrial accidents.

In order to enforce these safety rules and regulations, the State has been divided into 65 districts, each in charge of an inspector of the Division of Factory Inspection. This division carries on a continuous educational program to acquaint factory owners, workers, and the general public with the principles of safety and the dangers of unguarded machinery, harmful dusts, gases, and fumes.

In enforcing the laws limiting the hours of employment, this department also protects the health of the worker. The Child Labor Law forbids the employment of children under fourteen years of age, and rigidly controls employment between the ages of fourteen and sixteen. The Six-Day-Week Law requires a minimum of one day's rest in seven for all workers, regardless of sex. The Women's Eight-Hour Law limits the workday of women to eight hours.

Unemployment Compensation. Under the Illinois Unemployment Compensation Act more than three million Illinois workers are insured against complete loss of income should they lose their jobs through no fault of their own. To be eligible for benefit payments, the unemployed worker must have been paid wages totaling at least \$750 during a previous base period for his work in employment covered by the act; he must be able to work and be available for work; and he must be registered for work at his local office of the Illinois State Employment Service.

Workers not covered by this law include those in firms which employ less than four employees, and agricultural workers, domestic servants, government employees and railroad workers. Boys and girls under eighteen years of age who distribute newspapers and the like are also included in this group of workers not covered by this law. The amount of money received by those who *are* insured by unemployment compensation depends, of course, upon the amount of earnings of the worker while employed.

Local Welfare Agencies. Besides these various State institutions and agencies, further aid is given through city, county, and local governments. City Health Commissioners look after the health and safety of the city, and probation officers check juvenile misbehavior. The County Board of Supervisors provides County Farms and Homes for the poor and aged, and distributes poor relief in the individual districts. In the township, the township Supervisor together with the Clerk and Assessor take care of preventing contagious disease.

PUBLIC SAFETY

The primary concern of the Department of Public Safety is the well-being and the protection of the life and property of the citizens of Illinois and visitors within its borders.

State Penitentiaries. For those who break the laws of the State by committing serious crimes, there are institutions known as penitentiaries or reformatories. The great problem in prison management is to have the punishment severe enough to punish the prisoner for what he has done, and yet not so severe as to break his spirit and make him unfit for good citizenship when he leaves prison. Illinois has three State penitentiaries, which are located at Joliet-Stateville, Pontiac, and Menard. The Illinois State Farm, for short term sentences, is at Vandalia and the State Reformatory for Women is at Dwight. As part of the education service, prison industries have been established at all of these institutions. These include: at Joliet, textile work, a garment factory, soap manufacturing, a furniture factory, and concrete production; at Pontiac, sheet metal work, foundry and automobile repairing; and at Menard, a hosiery and underwear knitting mill, a tobacco shop, and a stone department.

The prisoners not only learn a trade or type of work which will help them when they again become citizens, but these industries supply the various State institutions with important supplies which otherwise would have to be purchased on the open market. Shirts, bush jackets, blankets, and unionalls have been furnished to the Federal government. Many signs have been repaired and new ones made for the State Highway Department.

A Criminologist maintained by this Department scientifically classifies all prisoners according to the nature of their crimes. Those committing minor offenses are not put with the so-called "hardened criminals" who might tend to create a bad influence over them. Instead they are placed in a group serving sentences for similar offenses. A staff of sociologists, psychologists, and psychiatrists examines the inmates and advises the wardens regarding the mental condition and classification of each prisoner and prescribes the kind of treatment necessary. As previously mentioned, the Illinois Security Hospital at Menard cares for the criminally insane. There is a tuberculosis hospital for prisoners at the Pontiac penitentiary.

Parole System. The parole system is an effective part of the re-education program for prisoners. Eligibility for parole depends on the nature of a prisoner's crime and his behavior while in prison. After a convict is paroled, he is under the guidance of the Division of Supervision of Parolees. He must report at intervals to his parole

agent and must stay within boundaries set up for him. Any infraction of these rules may mean his return to prison. Records indicate that 96 per cent of all inmates are released to society. Thus, it is necessary that every effort be made to rehabilitate an inmate while he is in prison. Statistics prove that 88 per cent of all parolees become useful members of society.

The State Parole and Pardon Board consists of five members, all appointed by the Governor with the Senate's consent. This Board has the authority to grant paroles. The Board visits each institution monthly to hear testimony and review evidence pertinent to parole. The Board acts as a Pardon Board on petitions and requests for pardons, reprieves, and commutations in an advisory capacity to the Governor. Only the Governor has the power to extend clemency.

Illinois State Highway Police. The improved concrete highways with their high-speed automobile traffic, and the growth of cities with their traffic congestion brought about a need for careful study of these new problems and the creation of new organizations and law-enforcing officers. As a division in the Department of Safety, the State Highway Police, since 1922, has become one of the most important agencies in protecting the citizens of the State from road hazards, reckless drivers, and activities of criminals.

Enforcement of motor vehicle laws, driver licenses, traffic regulations, laws against overloading of trucks, motor carrier provisions, and other road and bridge laws, as well as curbing reckless driving and giving aid to motorists, are some of the many activities of the highway police. All this helps to prevent accidents and make the highways safer places for travel. The work of the highway police in recovering stolen cars and property and apprehending criminals has been an important factor in the war against crime.

All of the 1200 State Highway Police are required to take a rigid and intensive training course in motor vehicle and traffic laws, the law of arrest, pistol and machine-gun training, care and maintenance of equipment, personal defense and disarming of criminals, criminal identification methods, first aid and safety instruction, accident investigation, and other police activities. This has meant better service to the public and an increase in the percentage of convictions secured in cases brought into court.

An efficient and complete radio communications system, started in

1936, has helped to enforce the laws. High-powered broadcasting stations located in various parts of the State transmit radio signals and messages over the entire State at all hours to the patrol motorcycles and patrol cars, all of which are equipped with receiving sets. Although each of the fifteen state highway police districts operates as an independent unit, they can all be co-ordinated in case of emergency or necessity through the central station in Springfield.

In 1943 the State Police took over the Traffic Safety and Driver Education Activities, which promote safe-driver education through the use of driver-testing devices and talks to high school students and civic clubs.

Work of the Division of Highways. The Division of Highways in the Department of Public Works and Buildings is chiefly concerned with the construction of better and safer highways. It also carries on the work of erecting adequate highway signs and markers, compiling and analyzing statistics related to traffic accidents and their control, and, in general, through adoption of safety features and education, attempts to reduce highway accidents.

REVIEW QUESTIONS

1. Why is there a need for public welfare work?
2. What change has taken place in the attitude of the public toward the mentally ill?
3. What kind of activities are carried on by the Children's and Specialized Service of the Department of Mental Health?
4. Describe the organization and work of the Public Aid Commission.
5. What activities directed by the State help to protect workers?
6. What is the purpose of the Unemployment Compensation Act? Why was a law like this necessary?
7. What public welfare agencies operate in your town? Do you have a Community Chest organization in your city? If so, how is it organized and how does it carry on its work?
8. How has the general attitude toward criminals and their treatment changed in recent years?
9. Describe the work of the State Highway Police. Why must they be carefully trained in carrying on their activities?
10. Define the following terms: Public Welfare, Mental Health, and Parole.

CHAPTER XII

PUBLIC PARKS AND RECREATION

The State Park program now plans for a State Park within fifty miles of every person in Illinois. To reach this goal, new park lands are acquired every year, some through gifts and others through purchase.



Division of Parks

BLACK HAWK STATUE

Lorado Taft's huge statue of the famous chief, in Lowden Memorial State Park near Oregon, is 48 feet high.

Our park system is the public estate of the people of Illinois. As is the case of private estates, it requires carefully chosen and well-trained men to take care of it. The planning and upkeep of the Illinois State Parks is by law a part of the Department of Conservation, one of the 15 departments set up under the Civil Administrative Code. The Division of Parks and Memorials, in this Department, is directly in charge of the management of all Illinois parks. A Superintendent heads this division. He is assisted by an assistant superintendent, and a staff of architects, landscape

artists, research workers, historians, engineers, naturalists, custodians, and guides.

The pleasure and welfare of visitors have been considered in the planning of park centers. Beautiful entrance drives have been built and parking areas set aside within the parks. Trails, some of them former Indian trails, and other new ones running through areas of

natural beauty are marked clearly. Shelters and refreshment stands under State control are provided in convenient places along trails and in all parks. Good drinking water, tested by State health authorities, is available in every park center. Park custodians, assistants, and guides are available to serve visitors or give any information required. In the larger parks, the State Park Naturalist Service is provided, and many miles of conveniently marked nature trails have been developed.

Our many beautiful natural parks, some with deep ravines and heavily forested, others with bluffs rising abruptly and picturesquely from winding rivers, give evidence that Illinois is more than the flat corn country, as it is so often pictured. Perhaps it does not deserve its nickname, "Prairie State."

THE LINCOLN COUNTRY

Illinois is proud of its many parks and memorials honoring Abraham Lincoln. Lincoln was born in Kentucky, spent his boyhood in Indiana, but it was in Illinois that the most important years of his life were spent before he became President.

Lincoln practiced law for many years in Springfield. In 1844 he purchased the Lincoln home, the only home he ever owned. This is open to visitors and contains many pictures and furnishings used by Lincoln and his family while they lived there, as well as personal letters and historical documents.

The old Statehouse, now used as the Sangamon County Courthouse, is also in Springfield. It was here that Lincoln served in the Legislature, pleaded cases before the Supreme Court, and gave his famous "House Divided against Itself" speech. His body was returned here from Washington to lie in state before interment in Oak Ridge Cemetery.

The tomb in Oak Ridge Cemetery in Springfield is the final resting place not only of Lincoln, but of his wife and three of his children as well. Thousands of visitors, including kings, queens, and world statesmen, have visited this impressive memorial.

Twenty miles north of Springfield is New Salem State Park, the authentic restoration of the town where Lincoln lived six years before he moved to Springfield. This park, placed on a hill one hundred



Division of Parks

THE LINCOLN TOMB

The final resting place of our great President, in Oak Ridge Cemetery, Springfield.

feet high, overlooks the Sangamon River Valley. There are thirteen cabins, ten shops, the Rutledge Tavern, and a school, furnished and reproduced as they were in the 1830's. Also, at New Salem, on the old Sangamon River, is the restored dam and saw- and grist-mill.

In Mt. Pulaski Courthouse, the Metamora Courthouse, Postville Court House, and the Vandalia Statehouse, Lincoln, the "Circuit Rider," met and debated with Douglas and other Illinois attorneys, and thus gained broad schooling and experience for his important work to come. These are a part of "the Old Eighth Circuit," which at one time took in nearly one-fifth of the State and over which Lincoln was a familiar figure.

The Lincoln Log Cabin State Park, near Charleston, was the home of Lincoln's father and stepmother during the last years of their life. Their cabin has been reconstructed as nearly like the original as possible.



NEW SALEM STATE PARK

Rutledge Tavern, authentically reproduced, is furnished just as it was in Lincoln's time when he lived in New Salem and studied law, clerked in a store, served as postmaster.

OTHER STATE PARKS AND MEMORIALS

Black Hawk State Park, located near Rock Island overlooking the Rock River, is the oldest park in the Middle West. Its museum is one of the outstanding Indian museums in the United States. Named after Black Hawk, who fought so fearlessly to save his beloved villages and hunting grounds from the white man, the park is a memorial to the famous chief's love of home and country.

Cahokia Mounds State Park is located four miles northeast of East St. Louis. These mounds, built by primitive people with the crudest implements, are said to be the most important work left by prehistoric man on the American continent. There are eighteen mounds in the park, the largest of which is Monk's Mound.

Farther down the Mississippi lies Fort Chartres State Memorial, located about five miles west of Prairie du Rocher. The original

powder house where gunpowder was stored is still standing. The first two forts, made of wood, were damaged by the Mississippi. The third fort, constructed of stone, was also damaged in 1772, and the fort was closed with the removal of British troops at that time. Today the original foundations have been unearthed for visitors to see, in addition to the reconstruction of the massive gateway and the barracks.

Fort Kaskaskia State Park, located on the bluff of the Mississippi River below Fort Chartres, overlooks an island that was the first capital of the newly created Illinois. The earthwork of the old fort is still to be seen. Next to the fort is Garrison Hill Cemetery, where old settlers of Kaskaskia are buried; and at the foot of the hill is the homestead, complete with original furnishings and slave house, of Pierre Menard, first Lieutenant Governor of Illinois.

Fort Massac State Park is located at Metropolis on the Ohio River. Today only the mounds marking the old foundations remain near the bronze figure of George Rogers Clark facing down the river. The British received the fort from the French, following the French and Indian War. Plans are being made for a complete reconstruction of this old fort.

Fort Chartres, Fort Massac, and Fort Kaskaskia belong to what is known as the French regime in Illinois, the period 1673 through 1765.

Farther up the Ohio River is Cave-in Rock State Park, which takes its name from a large cave in the bluff on the Ohio River about 30 miles below the mouth of the Wabash. In prehistoric times, as the center of Indian life, it was called "The Habitation of the Great Spirit." After our Revolutionary War it became the haunt of outlaws who attacked river commerce from it, and terrorized the surrounding country.

Jubilee College State Memorial is located northwest of Peoria. Here is preserved one of the Midwest's pioneer educational institutions. The Protestant Episcopal College built in 1839 of colored limestone with slender leaded glass windows is a good example of 19th-century architecture. The main college building, surrounded by old cedars and oaks, is located on a hill overlooking the Kickapoo River. The furnishings of its chapel, library, and classrooms have been restored as nearly as possible to their original state.

OTHER STATE PARKS AND CONSERVATION AREAS

In the extreme northwestern part of the State, south of Warren, is Apple River Canyon State Park containing 158 acres. Although small, its limestone bluffs, deep ravines, springs, streams, and wild life show a wide variety of interesting features. There are marked trails through the canyons and picturesque sections of the park.

South of Apple River Canyon State Park, two miles north of Savanna, lies the Mississippi Palisades State Park. Rugged cliffs rising above the Mississippi River, dense forests, and deep valleys are combined to make its 1,255 acres one of the most delightful park areas in the State. Rock formations resembling human figures and abundant animal and plant life attract many students of science.

Farther to the east, White Pines Forest State Park conserves the southernmost large stand of white pine in the United States. Pine Creek with its moss-covered cliffs is a pleasant contrast to the forest. High atop the bluffs rise the majestic white pines towering to a height of 90 to 100 feet. The many other hard wood trees make the entire forest a blaze of color in the autumn.



Hedrich-Blessing, Chicago

STARVED ROCK STATE PARK
Visitors may climb these rock stairs
to the top of Starved Rock.

Starved Rock State Park, a tract of rough and wooded bluffland along the south bank of the Illinois River, is the most popular of all Illinois parks. Its fantastic rock formations and natural and historic trails give endless enjoyment and pleasure to many visitors. The park receives its name from the rocky bluff where, according to tradition, a band of Illinois Indians, besieged on the top in 1769 by the Potawatomies, perished rather than surrender. This bluff, rising 125 feet above the Illinois River, affords a beautiful view of the river valley. The park is situated midway between Ottawa and La Salle.

Matthiessen State Park, formerly Deer Park, located just two miles southwest of Starved Rock State Park, is one of the outstanding nature areas of the Middle West. In this beautiful, natural, wooded area, with over 50 canyons and interesting rock formations, are to be found many varieties of birds and small animals. Also a herd of deer is maintained in this park.

Buffalo Rock State Park, about five miles west of Ottawa, is on a bluff which was once an island in the Illinois River. Foot trails lead to cliff brinks overlooking the river. Nearby is an enclosure with a herd of buffalo.

Chain O'Lakes State Park is located in the Fox Lake region of northeastern Illinois. The region takes its name from a series of glacial lakes of which the largest are Fox Lake, Grass Lake, and Pistakee Lake. There are now seventy miles of channels, marked for navigation, for boating activities.

Kickapoo State Park is located on the middle fork of the Vermilion River, about seven miles west of Danville. Indian tribes first discovered the salt wells which existed along the river. Coal deposits were discovered later and removed by strip mining. After the area was "mined out" it was forgotten for many years. Today its ravines and woods, stone ledges, precipices, and many lakes make an ideal park area with boating, fishing, camping, picnicking, and hiking facilities.

Fox Ridge State Park, about seven miles south of Charleston on the Embarras River, has preserved a tract typical of the uncultivated bluffs and prairie lands which the pioneers crossed. Ridge Lake, located within the park, is an experimental area of the Natural History Survey for the study of fish.

Six miles west of Grafton, near the junction of the Illinois and Mississippi rivers, Pere Marquette State Park stands as a monument to the great French explorer, Jacques Marquette, who in 1673 was the first white man to set foot in what is now Illinois. Here also the Potawatomi and the Illinois tribes made their homes. Its picturesque and historical background, delightful nature trails, nature trailside museum, and animal life provide an ideal setting for the largest of Illinois' major parks.

In the extreme southern end of Illinois, ten miles southwest of Carbondale, Giant City State Park preserves a typical section of the



Division of Parks

GIANT CITY STATE PARK

Ozark uplift in a setting similar to ancient, worn mountains. Southern Illinois charm is captured in its highest degree in this great park. During the Civil War deserters from both the Union and Confederate armies met in its canyons and caverns. Dates, names, and titles of men who lived in the region years ago are carved on the stone bluffs.

The above-mentioned parks are only a few of those included in the Illinois Park system. The chart on the next page shows some of the park areas and the recreational facilities they offer. At present the 50 state parks, 30 memorials, and numerous conservation areas comprise an area of more than 100,000 acres, and contain priceless treasures of history and natural beauty. Every year new tracts are added and older ones enlarged and developed.

CITY PARKS AND PLAYGROUNDS

Public parks are not limited to those maintained by the State. Today, parks are the necessary accompaniment of any city planning.

ILLINOIS

STATE PARKS

Name of Park	Location	Being Developed	Scenic	Natural Interests	Historic	Historic Structure	Picnicking	Camp Grounds	Play Grounds	Fishing	Boating	Boat Rental	Swimming	Guide Service	Lodge & Cabins	Restaurant	Refreshment Stand	Museum	Amphitheater	Group Camps
*Apple River Canyon	Near Warren		x	x	x		x	x	x	x							x			
*Argyle Lake	Near Colchester		x	x	x		x	x	x	x	x	x					x			
*Beaver Dam	Near Carlinville		x	x			x	x	x	x	x	x					x			
Black Hawk	At Rock Island		x	x	x		x	x	x	x			x		x	x	x	x		
Buffalo Rock	Near Ottawa		x	x	x		x		x	x							x			
*Cahokia Mounds	Near E. St. Louis		x		x	x	x	x	x								x	x		
Cave-in Rock	At Cave-in-Rock		x	x	x	x	x	x	x	x	x	x					x			
*Chain O' Lakes †	Near McHenry	x	x	x			x	x		x	x	x					x			
Channahon Parkway	At Channahon		x		x	x	x	x	x	x							x			
Delabar	At Oquawka	x																		
*Dixon Springs	At Dixon Springs		x	x	x		x	x	x				x				x			x
*Ferne Clyffe	Near Goreville		x	x	x		x	x	x								x			
Fort Chartres	Near Prairie du Rocher				x	x	x		x								x	x		
Ft. Creve Coeur	Creve Coeur	x			x		x													
*Fort Kaskaskia	Near Chester		x		x	x	x	x	x								x	x		
*Fort Massac	At Metropolis		x		x	x	x	x	x	x	x	x					x			
*Fox Ridge	Near Charleston		x	x			x	x	x	x		x					x			
Fox River	Near Ottawa	x																		
Gebhard Woods	At Morris		x	x			x		x											
*Giant City	Near Makanda		x	x	x		x	x	x	x					x	x	x			x
*Grand Marais	At E. St. Louis		x	x			x	x	x	x	x	x				x	x			
Illini	Near Marseilles		x				x	x	x	x							x			x
Ill.-Mich. Canal	Channahon, Morris	x	x	x	x	x				x										
*Illinois Beach	Near Waukegan & Zion		x	x			x	x	x	x			x		x		x			
Johnson Sauk Trail	Near Kewanee	x			x		x	x		x		x								
*Kankakee River	Near Kankakee	x	x	x	x		x	x	x	x	x						x			
*Kickapoo	Near Danville		x	x	x		x	x	x	x	x						x			
*Lake-Le-Aqua-Na	Near Lena		x				x	x	x	x	x	x					x			
*Lake Murphysboro	Near Murphysboro		x		x		x	x	x	x	x	x					x			
Lincoln Log Cabin	Near Charleston		x		x	x	x	x	x										x	
Lincoln's New Salem	Near Petersburg		x		x	x	x	x	x	x				x	x	x	x	x	x	x
Lincoln Trail																				
Homestead	Near Decatur	x	x		x		x	x		x										
*Lincoln Trail	Near Marshall		x		x		x	x		x	x	x					x			
*Lowden Memorial	Near Oregon		x	x			x	x	x	x							x			
Matthiessen	Near Oglesby		x	x	x		x		x				x				x			
*Miss. Palisades	Near Savanna		x	x			x	x	x	x							x			
Nauvoo	At Nauvoo		x		x	x	x	x	x	x	x						x	x		
*Pere Marquette	Near Grafton		x	x	x		x	x	x	x	x	x		x	x	x	x	x		x
Prophetstown	At Prophetstown		x		x		x			x										
*Ramsey Lake	Near Ramsey		x				x	x	x	x	x	x					x			
*Red Hills	Near Sumner		x		x		x	x	x	x	x	x					x			
*Siloam Springs	Near Kellerville		x	x	x		x	x	x	x	x	x					x			
Spitler Woods	Near Mt. Zion		x				x	x	x											
Spring Lake	Near Manito	x																		
*Starved Rock	Near Utica		x	x	x		x	x	x	x	x	x		x	x	x	x			
*Welden Springs	Near Clinton		x				x	x	x	x	x	x					x			
*White Pines Forest	Near Oregon		x	x			x	x	x	x			x	x	x	x	x			

*Admission fee or car sticker required.

†Hunting

Division of Parks and Memorials

City planning aims to develop the entire city so as to make all sections equally convenient, beautiful, and inviting. According to the present American standard, there is no real difference between parks and playgrounds. They are both places of recreation and enjoyment.

In later years special playgrounds for physical recreation equipped with ball fields, tennis courts, wading and swimming pools, and gymnasium apparatus consisting of parallel bars, climbing ropes, ladders, and swings have been developed. The larger cities have full-time directors who supervise extensive playground activities supported by public taxation.

REVIEW QUESTIONS AND PROJECTS

1. What State Park is located in the part of the State in which you live?
2. If possible, plan a trip to one of the State parks and write a report of its interesting features.
3. If a member of your class has visited New Salem, ask him to give a report on what interested him most.
4. What provision has your town made for parks and other recreational centers? Do you think these should be improved and expanded?
5. Does your town provide for summer playground activities? What advantages are secured when such a program is well organized and supervised?

UNIT V

HOW WE PAY FOR OUR GOVERNMENTAL SERVICES

CHAPTER XIII

COLLECTION OF TAXES

We are all proud of our fine streets and concrete roads, our splendid schoolhouses, our excellent water supply, our efficient police and fire departments, and all the many civic organizations which help us to live in ease and comfort. The tendency is for the government to do more and more for its citizens; and when people live together in large cities, such services are absolutely necessary. People frequently urge that something be done by the government, feeling that when the government does something, individual responsibility and expense ceases.

Where does the money come from to pay all these bills? It comes from taxes. Taxes are private property taken for public purposes. There are many kinds, collected by many methods. No taxes can be levied today unless voted by the people themselves or their representatives.

LOCAL TAXES

Property Tax. The local governments of Illinois still rely largely upon the direct property tax. The State, however, has not levied a property tax since 1932, deriving the greater part of its revenue at the present time from the sales tax, the motor vehicle tax, and the gasoline tax.

Under the Constitution, the tax on property must be at the same rate on all classes of property according to its value. The two main classes of property are real estate (consisting of land and permanent improvements) and personal property (consisting of money, live stock, notes, mortgages, automobiles, machinery, and other movable forms of property).

Determining the Value of Property to be Taxed. It is necessary to

determine the full fair cash value of the property belonging to each person so as to determine how much taxes each person is to pay. This determination of value is called assessment, and the officers performing this duty are called assessors. An assessor should have a real understanding of property values.

In counties not under township organization, the County Treasurer is ex-officio assessor for the county. In counties under township organization, one assessor is elected by the people in each organized township; but these township assessors work to some extent under the direction and advice of the County Treasurer, who is called Supervisor of Assessments. All counties are empowered to appoint a full-time county assessor or supervisor of assessments.

The County Clerk furnishes to all the assessors in his county the necessary books and blank forms on or before the first of April of each year. On or before this same date, the County Supervisor of Assessments assembles all the assessors for such consultation and directions as shall tend to uniformity of assessment in the county.

The first step in fixing taxes is for the assessor to hand to each property owner a blank, known as a "schedule," in which the owner is expected to place a list of the personal property which he possessed on April 1, with a full fair valuation on the same. These are to be sworn to and returned to the assessor. The assessor then, from the information thus obtained and other information which he may secure, assesses the value of the personal property and also places a valuation on each tract of real estate belonging to that person.

The assessor should complete this work by June 1, and on or before that date turn his books over to the County Supervisor of Assessments, properly made up according to law. The Supervisor of Assessments has the same authority as the township assessors to assess and to make changes or alterations in property assessments.

In counties having a population of 150,000 or more, there is a Board of Assessors, consisting of five members elected by the people, which has practically the same powers and duties as the Supervisor of Assessments in supervising and revising assessments.

On or before July 10, the Supervisor of Assessments should publish a full and complete list of assessments of each township in some newspaper or newspapers published in his county. This enables a person to learn what his own or any other person's assessment is.

Powers and Duties of the Board of Review. In each county there is a Board of Review, consisting of three persons. In counties not under township organization, containing less than 150,000 inhabitants, the County Commissioners constitute this Board. In counties having a population of 150,000 or more, the three members are elected by the people. In counties under township organization, having a population of less than 150,000, the Board consists of the chairman of the Board of Supervisors and two other persons appointed by the County Judge. In counties of 500,000 or more population (Cook County), a Board of Appeals takes the place of the Board of Review.

On or before the third Monday in June, this Board takes charge of the assessors' books, and has in general the following powers and duties:

1. To assess property not assessed by the assessors.
2. To review assessments brought to its attention by complainants and make such corrections therein as may appear to be just.
3. To increase or reduce assessments, if in the judgment of the Board, the assessments have not been made upon the proper basis.
4. To correct errors in assessments.

When this Board has completed its work, it delivers a copy of the revised and corrected assessor's books to the County Clerk and a duplicate copy to the County Treasurer.

Powers and Duties of the Property Tax Division of the Department of Revenue. The County Clerk is required annually, within 30 days from the receipt of the assessment books from the Board of Review or Appeals, to make out and transmit to the Property Tax Division an abstract of the assessment of the property in the county.

The Property Tax Division has, in general, the following powers and duties:

1. To direct, advise, assist, and supervise all local assessment officers.
2. To tax certain corporations.
3. To equalize taxes among the different counties.
4. It may formulate and recommend tax legislation.
5. It may order a re-assessment in any county, where, in its judgment, the assessment has been made upon a wrong basis.

Determining the Tax Rate. The levies needed for each division of government are filed with the County Clerk. When the assessments

are adjusted and turned over to him, he proceeds to figure out the tax rate for each division. For example, a school district with an assessed valuation of \$3,000,000 may decide that it needs \$45,000 for operating the school. The tax rate for this school district is found by dividing the levy (\$45,000) by the assessed valuation (\$3,000,000), making a rate of 1.5% or \$1.50 on each \$100 of the assessed valuation.

The tax rate for each of the other units of government is computed in the same way. The legislature has passed laws which prohibit tax rates from exceeding certain specified rates. If any board levies too large an amount, the County Clerk must cut the levy to a sum which will give a rate which does not exceed the limit set by the legislature. However, these tax rate limits may be increased to some extent by special elections or referendums of the people concerned.

Making Out the Tax Bill. After obtaining all the different tax rates, the County Clerk proceeds to "extend the taxes." This means he makes up the collectors books by entering in these books the names of all the different property owners with the assessed value of their property, the amount of taxes each shall pay for each of the several purposes (such as county tax, school tax, road and bridge), and the total amount each is to pay. After completing this work, he turns the books over to the County Treasurer for collection of the taxes. In counties not under township organization, the Sheriff is ex-officio collector of taxes.

The following list shows the tax rates levied on a residence in a central Illinois city for a recent year. Note the requirements for each of the divisions of government.

State	none
School	2.20
City	.64
County	.32
Township	.12
Library	.09
Public Benefit	.10
Garbage	.20
Pauper	.30
Road and Bridge	.20
Sanitarium	.09
Total	<hr/> \$4.26

The valuation on the residence was \$4,000. The total rate on the property was \$4.26 per \$100 of valuation. The tax bill on that residence was, therefore, 40 times \$4.26 or \$170.40.

Collection of the Taxes. A statement showing the amount of taxes due is mailed to every taxpayer. The taxes for any year are payable in the spring and summer of the following year. Thus, the taxes on personal property assessed on April 1, 1961, were due on June 1, 1962. The taxes on real estate are due in two installments — one before June 1 and the other before September 1. If the taxes, which are due on June 1, are not paid by that date, a penalty of 1% for each month is added after the taxes become delinquent. If all the taxes on real estate are not paid by September 1, the County Court enters an order that, if they are not paid before a given date, the property shall be sold for taxes. On the date designated, the County Clerk sells the various tracts of real estate to the bidder who will demand the lowest extra cost or penalty. The owner is allowed two years to redeem his property by paying the delinquent taxes plus the costs and penalties. The penalties are increased every six months; and if the property is not redeemed within two years, the purchaser, after giving warning notices, is finally given a tax deed to the property.

The economic depression made it difficult to pay taxes, and since then the more usual plan, in many counties at least, is to enter the judgment of sale for non-payment of taxes and then, as few people are now willing to buy in the property for taxes, it is forfeited to the State. This means that it can be forfeited for one or several years and then redeemed by payment of the back taxes and some extra penalties. After a number of years, if the property is decided by certain officials to be worth only about the amount of the back taxes, there is a sale which is final, and the purchaser gets a deed. However, the owner of a house or farm would have to allow the taxes to run a long time, to have them equal the value of the property.

Unpaid personal taxes may be collected by seizing and selling the property. If the owner also has real estate, the personal taxes are generally added to the real estate tax and collected with it.

The Full Assessment of Property Law. In 1927 the State Legislature passed the Full Assessment Law providing for the assessment of all real estate and personal property at its full and fair cash value. This would be determined by an estimate of what the property would sell

for at a fair voluntary sale. However, the law was generally ignored by the assessors in the various counties, who, in many cases, continued to assess property at one-third or one-fourth of its full value. In 1945, the so-called Butler tax program was adopted in order to put the law of 1927 into operation. The many details of this tax program are so complicated and affect so many taxing units that it would be impossible to give here more than a brief outline of its general purpose and application.

Under its operation, the work of the local assessors and Boards of Review in the counties will be carried on in the same manner as before. The valuations thus set will be submitted to the State Department of Revenue which is empowered to ascertain the amount of adjustment necessary to bring them up to a full and fair valuation. The amount by which any total local assessment will need to be increased (or decreased) will be ascertained from an analysis of the actual property transfers in each county. The multiple thus secured will be certified to the County Clerk in each county, who will apply it uniformly to all property assessments of the county. Thus, if the returns of the assessors indicate that the land in a particular county was valued at an average of \$75 an acre, and the study of land transfers indicate that the real valuation is \$150 an acre, then it would be necessary to double all the assessed real estate valuation in that county.

Inasmuch as in the past many counties assessed at only one-third of the full valuation, this would mean that if the taxing body would levy up to its full legal rate as is frequently done, it would enable them to secure three times as much revenue as before. However, to guard against this great increase in taxes the law provides that the maximum tax levy cannot be more than 50 per cent of the old legal tax rate. Nevertheless, despite this and other restrictions, the operation of the law should open the door for substantial increases in tax revenue.

Inasmuch as the inequalities and injustices in the property tax system in Illinois are largely due to the inefficiency of the local tax assessors, it seems as if the Butler tax program merely magnifies these defects. The inefficiency of an assessor who has assessed good land for little more than poor land will not be remedied by merely increasing the valuation of each type of land in the county by the same multiple.

Moreover, it will tend to increase the burden of taxes on land which is already too heavy. Probably the only remedy for the bad taxation system of our State would be a revising of the whole tax structure, including the adoption of a State income tax, rather than a revision of only a certain part as contemplated by the full assessment law.

Local Tax Problems. Faced with rising costs, municipalities all over the country are forced to seek new forms of taxes and new sources of revenue. In Illinois, tax limitations and the disproportionate and unequal burden placed on real estate has made the financial problems of local government more difficult to solve.

The general property tax has not provided sufficient revenue to support good school systems. State grants-in-aid for public schools have become necessary. Better schools, streets, parks, police and fire protection, and government are constantly demanded. Consequently, resort to other forms of taxes to supplement the property tax is becoming increasingly important.

Special City Taxes. Cities frequently levy a special tax on automobiles for the upkeep of streets. Amusement taxes may be collected as well as a consumer's utility tax. The greater number of cities levy a one-half cent sales tax. The new one-half cent tax on sales of services should provide substantial additional money. Fines and fees also provide a source of revenue.

Special Assessments. A discussion on taxation would hardly be complete without mentioning special assessments. This form of raising money is taken by the government for building streets, sewers, drainage ditches, or other public improvements. The people living on the street or the persons benefited by the drainage system have to pay for the cost. Usually such improvements are not made until the people petition for them. The payments are often heavy and, therefore, are distributed over a term of years to lighten the burden.

County Financial Problems. One of the changes that has taken place in the United States in recent years has been the movement of people to the suburbs. This rapid growth of suburban areas gives need for police and fire protection, improved highways, zoning, and business regulation. In order to meet part of this cost, County Boards may levy a one-half cent retail occupational tax and a one-half per cent tax on the cost price of tangible personal property transferred by sales of services in the county.

STATE TAXES

Sales Tax. The most important revenue producer for general governmental purposes is the Retailers' Occupational and Use Tax, or the sales tax. This consists of $3\frac{1}{2}$ per cent paid upon each retail sale. The tax is paid by the customer, in addition to the amount of the purchase; the retailer is required to make monthly reports to the State, along with a payment of the amount of tax due. This tax alone amounted to \$380,000,000 in 1961. The broadening of the base (more commodities being taxed) and the one-half cent increase adopted in 1961 will increase the revenue secured from the sales tax plus the new three per cent Service Occupational Tax to over \$500,000,000 annually.

Gasoline Tax. The next most important single source of revenue for the State is the Motor Fuel Tax. This amounts to five cents per gallon of gasoline that is sold in the State (with certain exceptions). The dealer adds this tax to the retail price of the gasoline. Of the more than \$146,000,000 net receipts collected, 35 per cent is allotted to the State for highway purposes and the remainder to local governments for county highways, city streets, and local roads.

License Taxes. There are a number of license taxes now required by the State for the support of its government, among the most common of which is the automobile tax. A license fee must be paid when the purchaser gets a car and each succeeding year. The fee is sent to the Secretary of State, and he returns two number plates which must be attached to the car. This revenue derived from the licensing of automobiles is used for road building and highway maintenance.

Licenses of this sort are not only valuable in raising revenue but also in providing means whereby some regulations may be placed over the businesses conducted by the various persons or companies subject to taxation. Some of the license taxes, such as the liquor tax, may be imposed to regulate a business rather than for the purpose of raising revenue. Drivers' licenses must now be secured every three years from the Secretary of State. This tends to control careless driving and use of the car by handicapped persons or under-age drivers. The License Tax yields over \$105,000,000 annually.

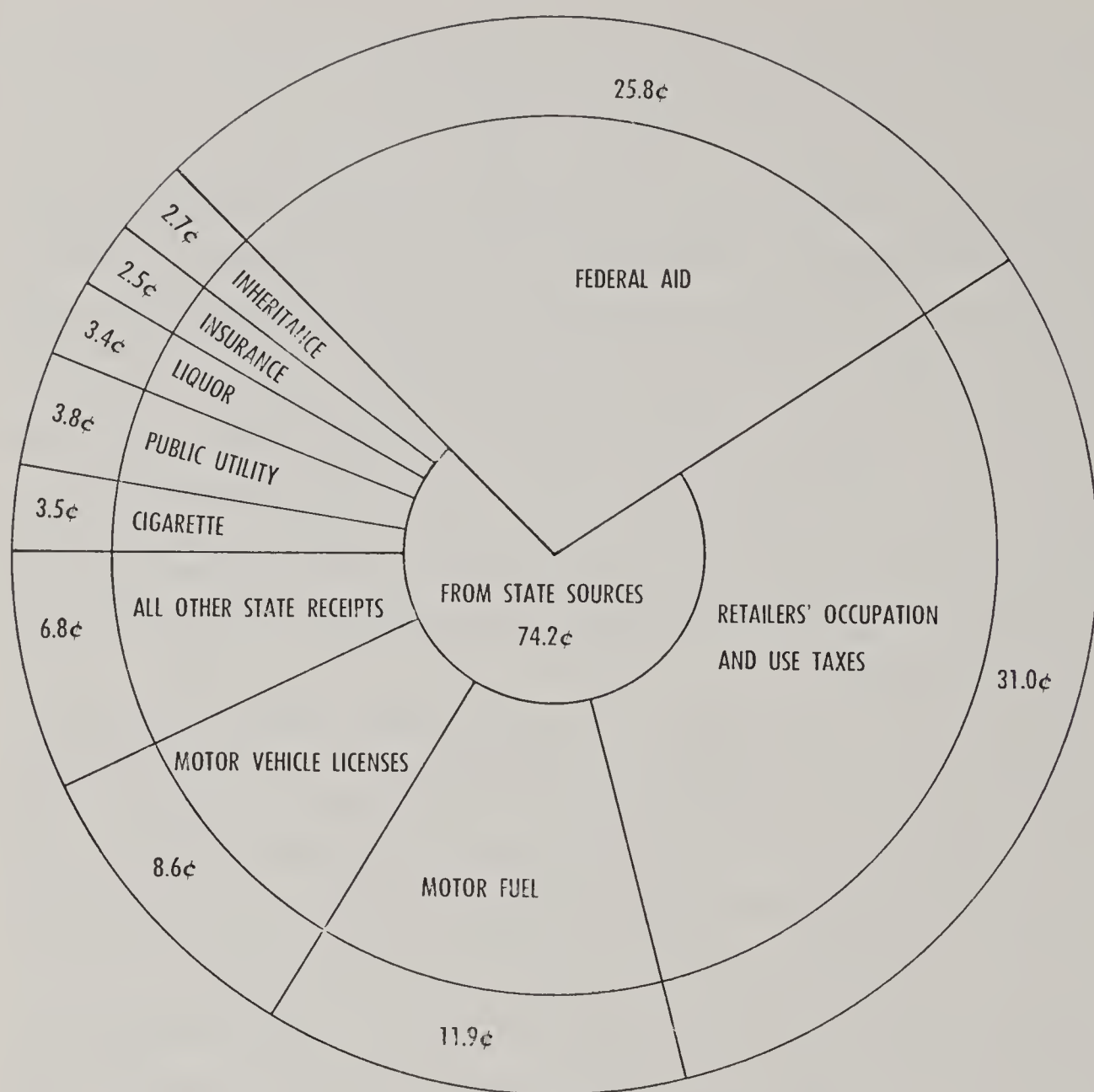


CHART I

WHERE THE 1961 STATE DOLLAR CAME FROM
(Fiscal Year Ended June 30, 1961)

Taxes on Businesses. Each corporation must make a report each year and pay the Corporation Franchise Tax and Fees which are based upon the amount of its stated capital and paid-in surplus. If a corporation does not pay its taxes, the State may dissolve it.

Persons renting housekeeping or sleeping quarters, such as hotels and motels, must pay the Hotel Operator's Occupation Tax. This is 3 per cent of 97 per cent of the gross rental receipts.

Other business taxes include the Cigarette Tax, the Beverage and Liquor Revenue Tax, the Public Utility Tax, and the Illinois Central Railroad Franchise Tax.

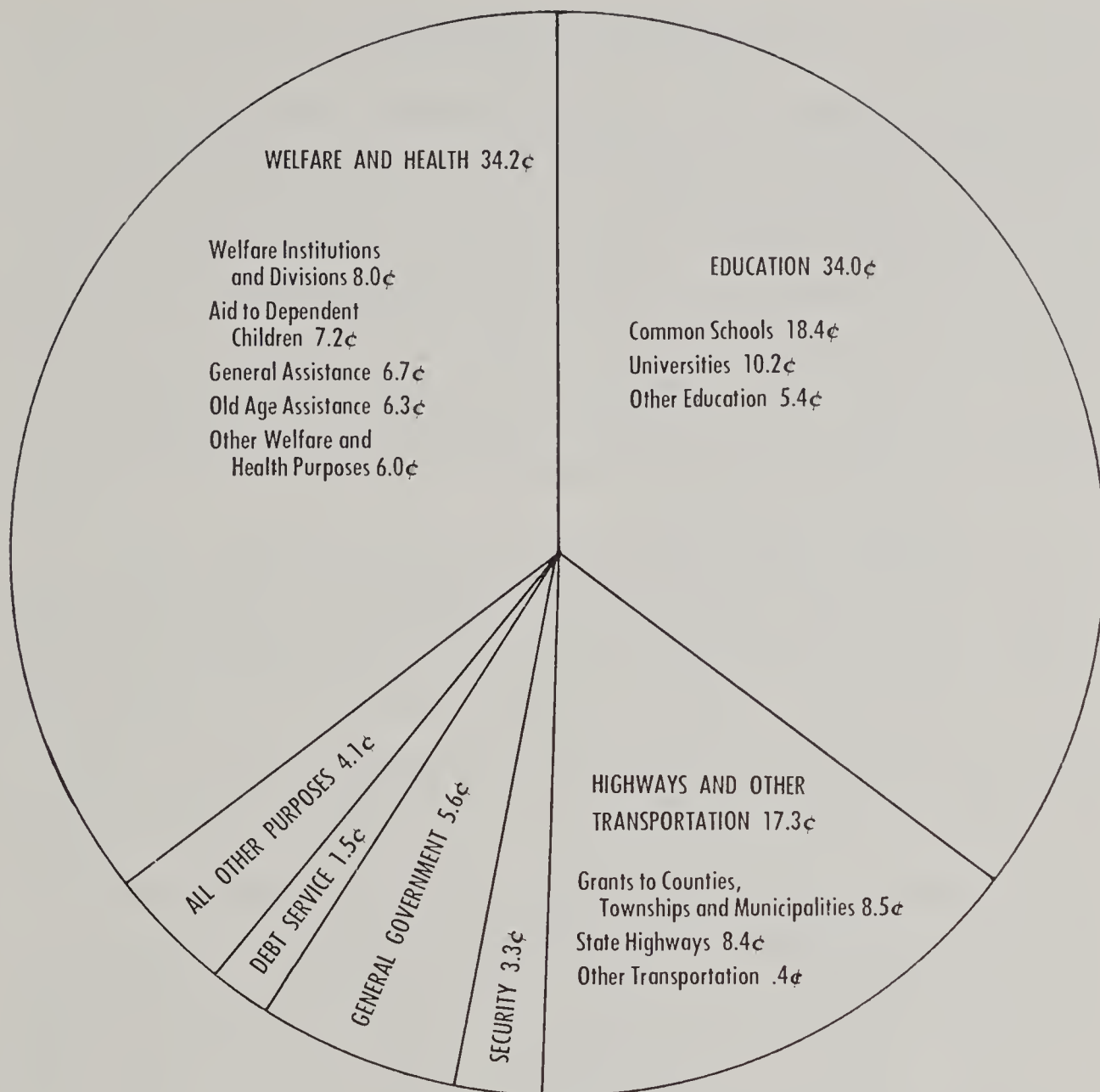


CHART II

WHERE THE 1961 STATE DOLLAR WENT
(Fiscal Year Ending June 30, 1961)

Inheritance Taxes. When a person dies, leaving more than a certain amount of property, a part of it goes to the State in order to support the government. This tax is called an *inheritance tax*.

There are two main principles which underlie the laws relating to inheritance taxes in Illinois and most of the other states. The first is that the nearer the person inheriting the property is related to the person who has died, the smaller shall be the rate of the tax and the greater shall be the amount that is exempted from taxation. (An *exemption* is an amount which a person can receive without paying the tax. The inheritance tax is paid on the amount over and above

the exemption.) In the case of a person who is not related to the deceased person, the exemption is small and the rate on the remaining portion is large. The second principle is that the larger the amount inherited by the beneficiary, the greater is the rate of the tax. For instance, the law provides that when the property shall pass to some near of kin, such as a father, mother, child or widow, the tax shall be 2 per cent on any amount up to \$50,000 in excess of the exemption; 4 per cent on the next \$100,000; 6 per cent on the next \$100,000; 10 per cent on the next \$250,000; and 14 percent on the remainder. Heirs in direct lineal relationship to the deceased have a nontaxable exemption of \$20,000; brothers and sisters of the decedent have an exemption of \$10,000.

In the case of a person not related inheriting a large amount, the tax starts with 10 per cent on the first \$20,000 above the exemption, and runs as high as 30 per cent. The tax is computed by the County Court in conjunction with the Attorney General of the State. An inheritance tax should be paid within 18 months after the death of the person, and if paid during that time, no interest is required; but if paid between 18 and 20 months, 7 per cent interest is charged; after 20 months, 10 per cent is charged from the date of death.

Miscellaneous State Taxes. Many other types of taxes which yield considerable amounts of revenue are levied by the State. Among them are Liquor License fees, Insurance fees and taxes, Hunting and Fishing Licenses, and Pari-Mutuel Taxes on Horse Racing. All of these taxes together with many other forms of income, such as charges to mental patients, tuition and other fees from students attending the State Universities, and interest on State funds and investments, make up over \$1,000,000,000. This is what the citizens of Illinois pay for the many State services.

Federal Aid. An increasing amount of revenue needed by the State comes from the Federal Government. Whereas in 1958, Federal aid constituted 17.7 per cent of the total cost of Illinois State government operations, it represented 25.8 per cent of the cost in 1961. Well over half of the more than \$300,000,000 received from the Federal Government is used for highway construction. Old age assistance, aid to dependent children, disability assistance, school milk and school lunch programs are a few of the important uses for which Federal aid is expended.

REVIEW QUESTIONS

1. What are the two kinds of property upon which taxes are levied?
2. Does everyone pay taxes? What about people who do not own their own homes and have so little personal property that it is not assessed?
3. How is the value of the property to be taxed determined? What effect will the Full Assessment Law have on the assessing of property in Illinois?
4. Outline the method used to determine the tax rate and the amount of the tax bill.
5. If you felt you were paying too much tax, how would you remedy matters?
6. Secure a schedule of tax rates from your County Treasurer or Collector. How many taxing units are levying taxes in your community? Do you think any of these should be eliminated? Why? If you were a taxpayer, would you vote for an increase in any of the tax rates shown on the schedule?
7. Get a personal property tax schedule and rate the personal property subject to taxes in your home, then find out how much your father actually is paying taxes on.
8. If your father has a copy of his tax bill, study the items listed to see if you can compute the amount of the tax due.
9. What are the duties of the Property Tax Division of the Department of Revenue? Why is it necessary to have such an organization over the county Supervisor of Assessments?
10. What is meant by the following terms: personal property, real estate, levying a tax, computing the rate, extending the taxes, licenses, delinquent taxes, and special assessments?
11. What is done with delinquent tax property? After the property is sold for taxes, how long a time does the owner have in which to redeem it?
12. What is an inheritance tax? What is meant by a progressive inheritance or income tax rate?
13. Why do many people feel that the income tax as used by the Federal government is the fairest type of taxes? If this is true, why doesn't Illinois use this type of tax?
14. Do you think the sales tax is a good tax? Explain.
15. How much tax does the State levy on every gallon of gasoline that is sold in the State?
16. Why do the State Constitution and laws limit the amount of money which can be raised by taxes or by borrowing?

UNIT VI

HOW OUR DEMOCRATIC HERITAGE SERVES US

CHAPTER XIV

OUR AMERICAN HERITAGE

THE DECLARATION OF INDEPENDENCE PROCLAIMS OUR LIBERTIES

Birth of a Nation. The Declaration of Independence is the birth certificate of our country. However, long before this great event was announced to the world on July 4, 1776, many things had happened which led to the break between England and her colonies in North America. The American Revolution is a long story of a separation that began when English colonists first left the mother country with a view of living their own lives. A spirit of liberty permeated the settlers, whether they sought religious freedom, economic betterment or political liberty. The new Americans grew accustomed to managing their own affairs and controlling their own governments. It is not surprising, therefore, that when the British government tried to restrict the freedom and liberty of its American subjects, that defiance and resistance to its authority soon led to open rebellion. Free institutions, nurtured for over a century among free men, were not to be lost without a struggle.

Purpose of the Declaration. The Declaration of Independence can be divided into four parts. The first part, in the form of a preamble, states the purpose of drawing up the Declaration: "A decent respect to the opinions of mankind requires that they (the colonists) should declare the causes which impel them to the separation." Thus the new country, from the very beginning, considered it important to present its case before the bar of international public opinion.

Natural Rights of Man. The second part asserts the natural rights of free men. It holds that "all men are created equal" and are endowed

with certain God-given rights, among them those of "Life, Liberty and the pursuit of Happiness." Governments, "deriving their just powers from the consent of the governed," are established to secure these rights for men. These self-evident, eternal truths are as timely today as they were when Thomas Jefferson first stated them in the Declaration of Independence. This expression of faith in the dignity of man makes the Declaration of Independence more than a mere justification of the American colonists' revolt against Great Britain. It holds out a ray of hope for all oppressed people in all parts of the world for all time.

Grievances of Free People. The third part of the Declaration lists the grievances and charges against the King of England. This part takes up approximately two-thirds of the entire document and was of greater significance to the rebelling colonists than it is to us today. Many of these grievances covered a long period of time and to the colonists they represented real or potential threats to their liberties. A few of the some thirty specific abuses and wrongful acts of the King should be noted. Several of these charges condemn the King for not agreeing to laws which were considered necessary for the good of the colonies, or for restricting the colonial assemblies in various ways in making laws. Other abuses mention the King's interference with the administration of justice through his control of the tenure and salaries of judges.

Particularly offensive to the colonists was the threat to their liberties and self rule by the swarms of officials and military forces sent over to control them. The British government was specifically condemned for cutting off colonial trade; for imposing taxes without consent of the colonists, for depriving colonists of trial by jury; for taking away colonial charters which had guaranteed self-government; for suspending the legislatures of the colonies; and for quartering large bodies of armed troops in the colonies and protecting them from punishment for wrongs committed against the colonists.

Many colonists knew from personal experience the meaning of such references as "he (King George III) has plundered our seas, ravaged our Coasts, burned our towns, and destroyed the lives of our people.

"He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny, already begun with the circumstances of Cruelty and perfidy scarcely paral-

leled in the most barbarous ages, and totally unworthy the Head of a civilized nation. . . .

"He has excited domestic insurrection among us, and has endeavored to bring on the inhabitants of our frontiers the merciless Indian Savages whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

"In every stage of these Oppressions We have Petitioned for Redress in the most humble terms. Our repeated Petitions have been answered only by repeated injury. A Prince whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people." These were strong and bold words and it was hoped that the world would accept them as justifiable reasons for absolving their allegiance to the British Crown and for severing all political connections with the mother country.

Declaration of Independence. The fourth and last part contains the actual declaration of independence: "that these united colonies are, and of right ought to be, Free and Independent States . . . and that, as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor."

Importance of the Declaration Today. Why is the Declaration of Independence important today? This memorable document was more than a mere Declaration of Independence; it was a declaration of fundamental rights of all free men. The early colonists left their respective mother countries in order to establish homes where they could enjoy to the fullest extent life and liberty and be free to pursue happiness as they saw fit. These were the rights of all human beings, but in the 18th century as well as today, dictatorial and totalitarian governments were always ready to oppress men and destroy all forms of human freedom. The Declaration of Independence in 1776 was a call to arms to those who would fight to preserve their human rights against tyrannical government. Today it still remains as a challenge to governments which would annihilate human dignity and enslave free men. Human beings in all parts of the world today must build their case for liberty on the same basic principles of the God-given

natural rights of freedom proclaimed by the Declaration of Independence.

THE FEDERAL CONSTITUTION SAFEGUARDS OUR LIBERTIES

Need for a More Perfect Union. The right of independence proclaimed by the American colonies in 1776 was not fully achieved and recognized by England until seven years later. In the meantime the thirteen colonies had set up their own governments based on their individual constitutions. However, the newly created states, fighting to remove the oppression of the British government, did not wish to give up their power as states to a strong central government. The fear of centralized power proved stronger than the need for national unity. The new central government, organized under the Articles of Confederation, made the national government responsible to the states. It was to be a league of friendship, a confederacy in which each state was to keep its own "sovereignty, freedom, and independence." Consequently the central government thus established was so weak that Congress did not have adequate power to deal effectively with the many difficult problems facing the new nation.

A Federal Government Established. The need for a more perfect union became increasingly apparent. At last, representatives of the states met in Philadelphia in 1787 to consider the matter of giving greater strength to the national authority. After almost four months of deliberation and debate, our present Constitution was drawn up and signed by the delegates. The states' fear and jealousy of a strong central government was overcome by creating a Federal plan of government which delegated certain powers in matters of general interest to the national government, and reserved most of the remaining powers, dealing with internal affairs, for the states. In this way both state and national sovereignty were assured by a division of powers.

Separation of Powers Provided. Not only did the Constitution provide powers between the national government and the states but it also provided for an arrangement of governmental authority within the central government, known as the "separation of powers." Accordingly, the Legislative Department (Congress) was to make the laws,

the Executive Department (President) to execute, administer and enforce the laws, and the Judicial Department (Courts) to construe, interpret, and apply the laws. To better insure that one department would not encroach on the power of another department a system of "checks and balances" was provided. Thus, the President may veto a law passed by Congress, the Supreme Court may declare a law unconstitutional, and Congress may impeach and remove executive and judicial department officials.

A Bill of Rights Adopted. Despite the many precautions prescribed in the Constitution to insure that neither the national authority nor any department of the central government should seize too great powers, many people felt that their fundamental rights as individuals were not sufficiently safeguarded. They felt that the Constitution should contain a Bill of Rights as a guarantee of their liberties. Accordingly, in September, 1789, when the first Congress under the Constitution met, twelve amendments were proposed. By 1791, ten of these had been adopted by the states and became our Bill of Rights.

The Constitution Protects our Freedom. The Constitution was carefully designed to make our government the servant of the people rather than their master, as is so common in many countries of the world today. It is important to remember that the fundamental principles of human freedom and liberty proclaimed by the Declaration of Independence and guaranteed by the Constitution were unique in the 18th century. But what is more important is that the early leaders of our Republic stated eternal fundamental principles which are as true today as they were two centuries ago.

To understand how the Constitution provided a more perfect Union and at the same time protected the individual's life, liberty, and property, requires a careful study of each section of this important document. The Constitution, in an outline form, follows this chapter. Each section is presented in simplified, non-technical language. Brief explanations and illustrations help to clarify the Constitutional interpretations which have played an important role throughout our history.

OUR FLAG — A SYMBOL OF OUR LIBERTIES

Our flag is a symbol of our democratic heritage — our free institutions, our traditions of liberty, equality, and justice; in brief, our

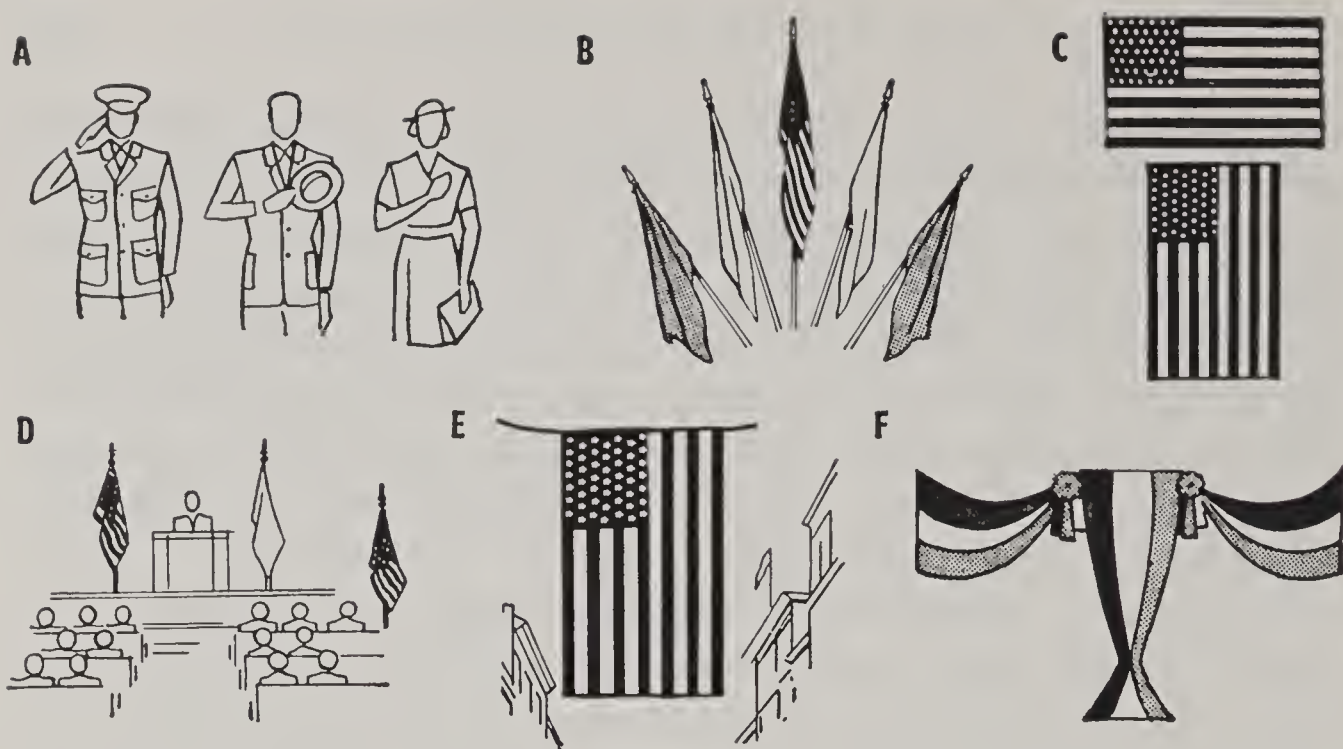
American way of Life. Almost a year after our union declared its independence, the Fourth Continental Congress adopted a resolution on June 14, 1777, describing the official American flag: "Resolved, that the flag of the United States be thirteen stripes, alternate red and white, that the union (the square in the upper left hand corner) be thirteen stars, white in a blue field, representing a new constellation." Today we commemorate the date of this proclamation as the birth of the flag of the United States by observing June 14 as Flag Day. The 21st star represents Illinois.

Congress has authorized the following Pledge of Allegiance to the Flag: "I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all." This pledge shall "be rendered by standing with the right hand over the heart. However, civilians will always show full respect to the Flag when the pledge is given by merely standing at attention, men removing the headdress." When saluting the flag a person should stand, face the flag and come to attention (Fig. A).

When the flag is passing by, as in a parade or a review, spectators should follow the same procedure as for a salute. They should come to attention a few moments before the flag arrives and remain at attention a few moments after it has passed. The same procedure is used for saluting the national anthem. Thus, when the "Star Spangled Banner" is played, face the flag if it is displayed; otherwise, face the music.

State and Federal laws protect the flag from desecration, mutilation, and improper use under penalty of arrest and imprisonment. It should not be used for decoration, advertising or commercial purposes. When flags become soiled, they should be cleaned; when torn, they should be mended as soon as possible; when worn-out, they may be destroyed by burning in a manner which does not show disrespect.

The Congressional Act of December 31, 1942, lists the following special occasions when the flag should be displayed: New Year's Day, January 1; Inauguration Day, January 20; Lincoln's Birthday, February 12; Washington's Birthday, February 22; Easter Sunday; Mother's Day, second Sunday in May; Armed Forces Day, third Saturday in May (replacing Army, Navy and Air Forces Days); Memorial Day (half staff until noon), May 30; Flag Day, June 14; Independence Day, July 4; Labor Day, first Monday in September; Consti-



tution Day, September 17; Columbus Day, October 12; Veterans Day, November 11; Thanksgiving Day, fourth Thursday in November; Christmas Day, December 25; such other days as may be proclaimed by the President of the United States; the birthdays of states (dates of admission); and on state holidays. Public institutions should display the flag every day, and schools on school days, weather permitting. It should be displayed at polling places on election days.

The flag is displayed only from sunrise to sunset, except on special occasions when a patriotic program is held at night. The flag should never be displayed when the weather is bad. It should be hoisted briskly and lowered slowly. When being lowered, the flag should not be allowed to touch the ground.

If the flag is in a group of flags, it should be in the center, or at the highest point (Fig. B). When displayed horizontally or vertically, on a wall or at a window, the union of the flag should be at the top and on the left of a person facing it (Fig. C). On a platform it is placed on the speaker's right, as he faces the audience (Fig. D).

When the flag is displayed from a staff in a public auditorium it should be at the right of the audience as they face the platform (Fig. D).

When the flag is to be displayed over the middle of the street, suspend the flag vertically with the union to the north in an east and west street or to the east in a north and south street (Fig. E). Never drape the flag for purposes of decoration; use red, white, and blue bunting instead, placing the blue on top, the white in the middle, and

the red below (Fig. F).

Do not use the flag as a part of a costume or athletic uniform or embroider it upon cushions or handkerchiefs.

THIS I BELIEVE

I believe in the United States of America as a government of the people, by the people, for the people, whose just powers are derived from the consent of the governed; a democracy in a republic, a sovereign Nation of many sovereign States; a perfect union, one and inseparable; established upon those principles of freedom, equality, justice, and humanity for which American patriots sacrificed their lives and fortunes.

I therefore believe it is my duty to my country to love it, to support its Constitution, to obey its laws, to respect its flag, and to defend it against all enemies.

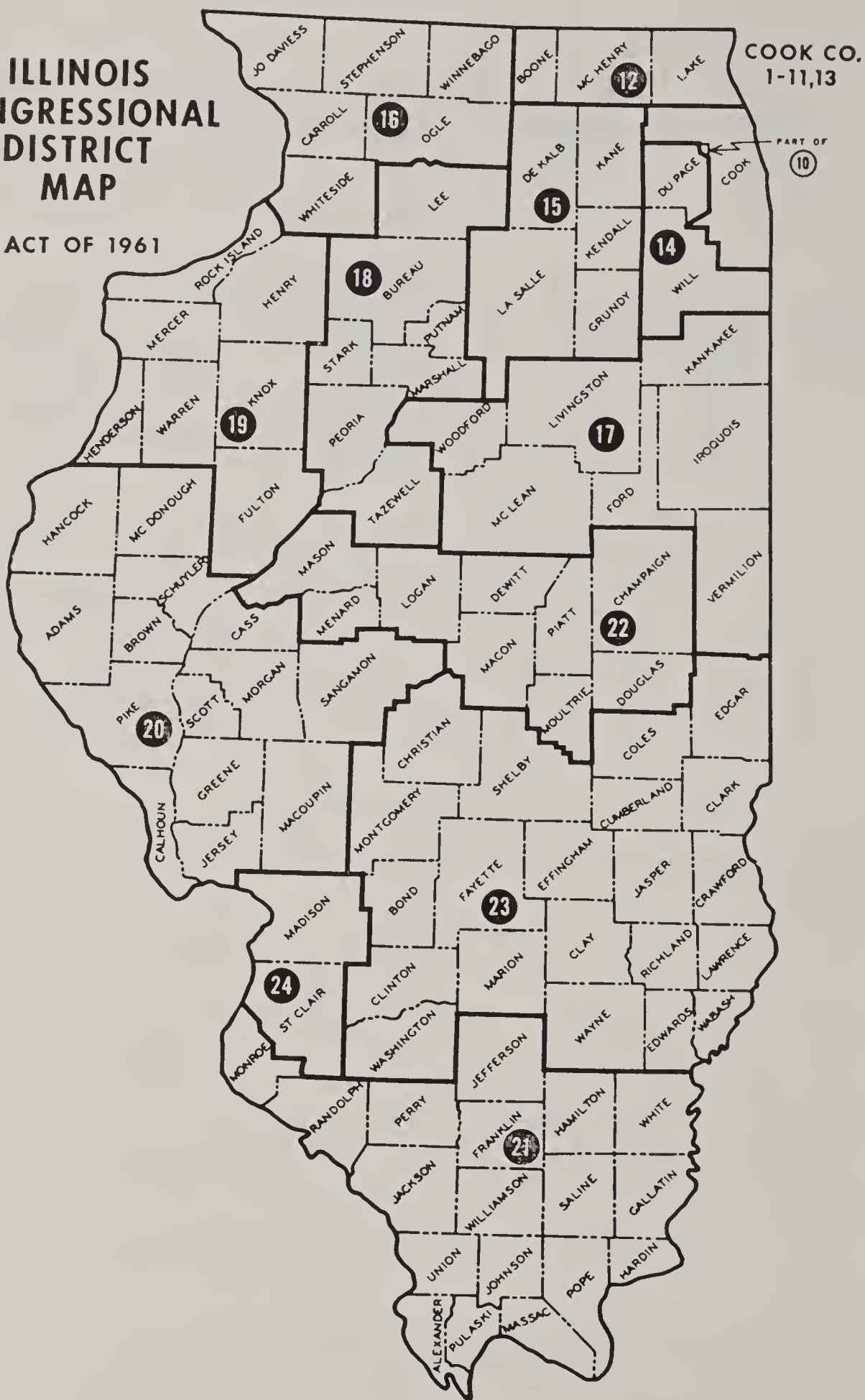
THE AMERICAN'S CREED by William Tyler Page

REVIEW QUESTIONS

1. Did the procurement of a birth certificate assure the life of the new nation?
2. When did the American Revolution really begin?
3. What were the basic causes for the Revolutionary War?
4. What did the signers of the Declaration of Independence hope to gain by announcing to the world the birth of a new nation?
5. What are the "natural rights of man?" Why are dictatorships incompatible with the "natural rights" doctrine?
6. Give at least five grievances which the colonists voiced against the British government. Illustrate with specific examples from American history.
7. Can people today make use of the Declaration of Independence? Explain.
8. What does the American flag symbolize?
9. When do we commemorate Flag Day?
10. Memorize the Pledge of Allegiance.
11. What procedure is used when saluting the flag? The national anthem?
12. List at least ten special occasions when the flag should be displayed.
13. Mention the points to be observed when displaying the flag properly.

ILLINOIS CONGRESSIONAL DISTRICT MAP

ACT OF 1961



Congressional Districts in Illinois.
(1961 Act.)

COOK COUNTY

CONGRESSIONAL DISTRICT MAP
1961

LEGEND

- 10** CONGRESSIONAL DISTRICT NUMBER
 - (8)** WARD NUMBER
 - CONGRESSIONAL DISTRICT BOUNDARY LINE
 - WARD AND/OR TWP. BOUNDARY LINE
- ACT OF 1961

13TH DISTRICT
TOWNSHIPS OF
BARRINGTON
EVANSTON
HANOVER
NEW TRIER
NILES
NORTHFIELD
PALATINE
SCHAUMBURG
WHEELING
ELK GROVE
50TH WARD,
CITY OF CHICAGO

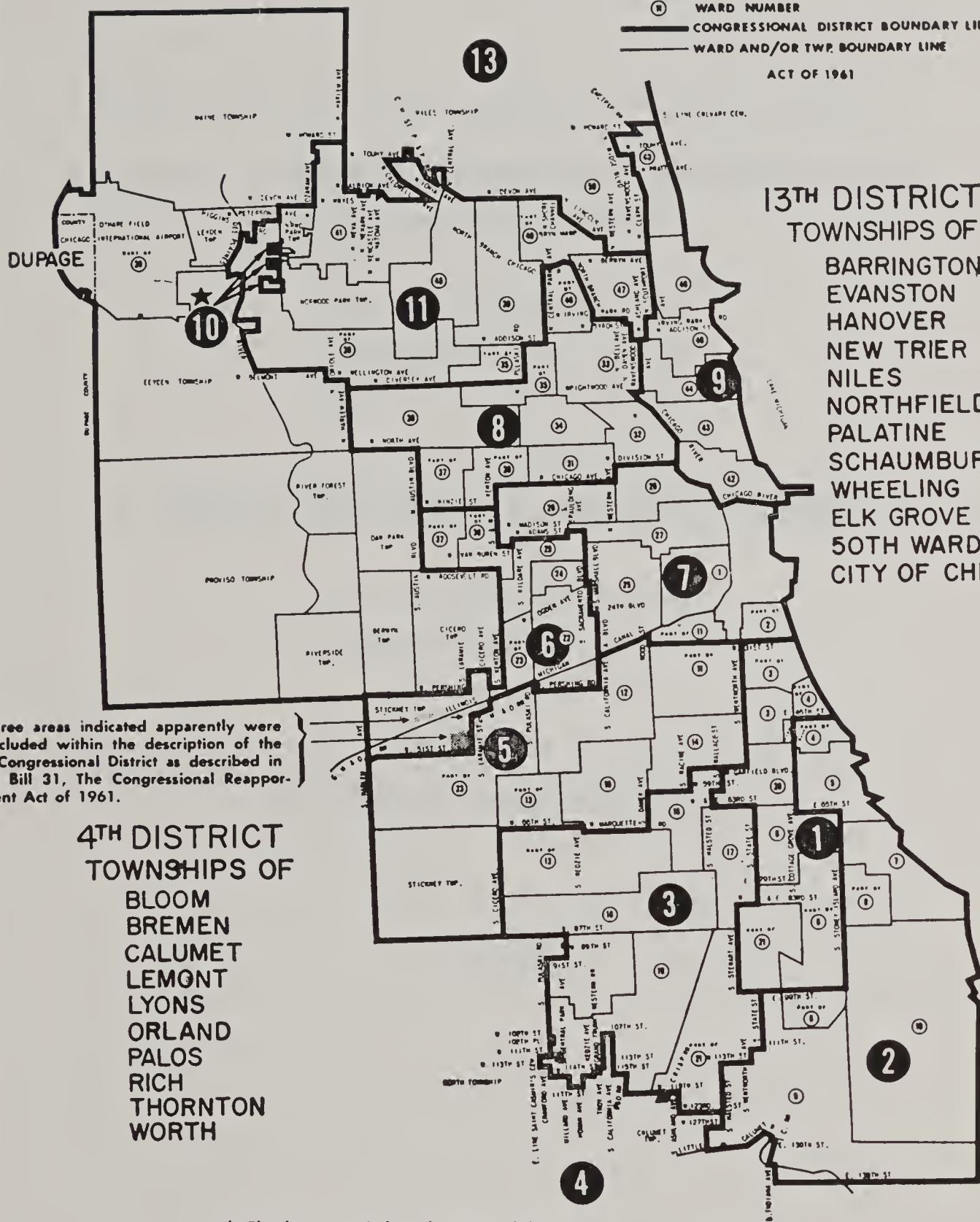
4TH DISTRICT
TOWNSHIPS OF
BLOOM
BREMEN
CALUMET
LEMONT
LYONS
ORLAND
PALOS
RICH
THORNTON
WORTH

★ The three areas indicated are part of the Tenth Congressional District as described in Senate Bill 31, The Congressional Reapportionment Act of 1961.

**Congressional Districts in Cook County.
(1961 Act.)**

NB

The three areas indicated apparently were not included within the description of the Sixth Congressional District as described in Senate Bill 31, The Congressional Reapportionment Act of 1961.



**CONSTITUTION OF THE UNITED STATES OF AMERICA
— Outline and Explanation**

Review Questions on the
United States Constitution

CONSTITUTION OF THE STATE OF ILLINOIS

Review Questions on the
Illinois Constitution

APPORTIONMENT DISTRICTS

INDEX

CONSTITUTION OF THE UNITED STATES OF AMERICA

OUTLINE AND EXPLANATION

THE PREAMBLE

We, the people of the United States, in order to
form a more perfect Union,
establish justice,
insure domestic tranquility,
provide for the common defense,
promote the general welfare, and
secure the blessings of liberty to ourselves and our posterity,
do ordain and establish the Constitution for the United States of America.

ARTICLE I

THE LEGISLATIVE (LAW-MAKING) BRANCH

SECTION 1. *All law-making powers are given to Congress.*

SECTION 2. *The House of Representatives is the lower house (437 members).*

1. Members are elected for two years by citizens qualified to vote for members of the State Legislature.
2. Qualifications for a member of the House are stated. A person must:
 - a. be at least 25 years of age;
 - b. have been a citizen of the United States for at least 7 years;
 - c. be an inhabitant of the state in which he is elected.
3. The number of representatives from each state depends upon the size of its population (determined by a census or official count of the people, taken every 10 years).
4. Vacancies are filled by state elections called for by the Governor.
5. The House chooses the Speaker and other House officers and has sole power of impeachment.
 - a. The Speaker (chairman of the House) is chosen by the majority party.
 - b. The Speaker becomes President of the United States if the President and Vice-President die.
 - c. The duties and powers of officers are determined by rules and practices of the House.
 - d. Impeachment means the bringing of formal charges against a United States public official for some crime.

SECTION 3. *The Senate is the upper house (100 members).*

1. Each state elects two senators for six year terms.
 - a. Before 1913 senators were chosen by the state legislatures.
 - b. Senators are now elected by voters of their states (17th Amendment).
2. The Senate is a continuous body, since only one-third of its members are elected every two years.
3. Qualifications for a member of the Senate are stated. A person must:
 - a. be at least 30 years of age;
 - b. have been a citizen of the United States for at least nine years;
 - c. be an inhabitant of the state in which he is chosen.
4. The Vice President of the United States is President of the Senate but has no vote except in case of a tie.
5. Other officers are chosen by the Senate.
 - a. President pro tempore is selected when the Vice-President is absent.
 - b. President pro tempore may vote on all matters.
6. The Senate has sole power to try all impeachments.
 - a. It tries any Federal officer impeached by the House of Representatives.
 - b. The Chief Justice of the Supreme Court presides when the President of the United States is tried.
 - c. A two-thirds vote of members present is necessary for conviction.
7. An official convicted in an impeachment trial is punished. He is:
 - a. removed from office;
 - b. disqualified from holding any United States public office of honor, trust or profit;
 - c. He may be tried later in a regular court and receive usual punishment.

SECTION 4. *Election and meetings of Congress are regulated.*

1. Times, places and manner of holding elections for Senators and Representatives are determined by the states, subject to special regulations by Congress.
 - a. Representatives are elected from districts instead of from the states at large.
 - b. Congressional elections are held on the Tuesday after the first Monday in November in the even-numbered years by all mid-continental states.
 - c. Expenditures of candidates for office are limited. (1921)
 - d. Elections must be by secret ballot.
2. Congress assembles at least once every year.
 - a. Congress now meets on January 3. (20th Amendment)
 - b. The President may call Congress into special session.

SECTION 5. *General rules and regulations of the Houses are provided.*

1. Each House judges the elections, returns, and qualifications of its own

members. A majority of each house is considered a quorum to do business.

2. Each House determines its rules of proceedings, punishes members for disorderly behavior, expels members by a two-thirds vote.
3. Each House keeps a journal of its proceedings.
 - a. The *Senate Journal* and *House Journal* are the official records of the laws, resolutions, and votes published at the end of a session.
 - b. The *Congressional Record* is a daily published report of what is said in Congress.
4. Neither House, during the session of Congress, can adjourn for more than 3 days or change its place of meeting without the consent of the other.

SECTION 6. *Compensation, privileges and restrictions of members of Congress are stated.*

1. Salaries and expenses are paid out of the United States treasury.
2. Members are free from arrest for the duration of a session except in cases of treason, felony, and breach of the peace.
 - a. Members are exempt from arrest or suit for anything said in Congress or in committee meetings.
 - b. Members are not allowed to accept any United States government job which was created or given a higher salary during their term of office, or to hold another Federal office while serving in Congress.

SECTION 7. *The method of passing laws is given.*

1. Bills to raise money by taxes must start in the House but the Senate may make changes in them.
2. The President may approve or veto bills passed by Congress.
 - a. A two-thirds vote of members present is required to override the veto.
 - b. The President is permitted 10 days (Sunday excepted) to consider any bill.
 - (1) If the President retains a bill for more than 10 days, it becomes a law without his approval.
 - (2) If Congress adjourns before the 10 day period lapses, the bill does not become a law (pocket veto).
3. Every measure which requires the vote of both Houses of Congress must be approved by the President before it can be put into effect, except when his veto has been overridden.

SECTION 8. *Powers are delegated to Congress.*

1. Congress may collect taxes, duties and excises, which must be uniform throughout the United States, and spend money in order to:
 - a. pay the debts;
 - b. protect the country against foreign nations;
 - c. provide for the general welfare by:
 - (1) aiding agriculture and business,
 - (2) bettering conditions of the unemployed.
 - (3) promoting low cost housing.

2. Congress may borrow money on the credit of the United States. It may:
 - a. sell government bonds and certificates;
 - b. issue legal tender paper money.
3. Congress may regulate commerce with foreign nations, among the states and with Indian tribes.
 - a. It may control goods, carriers and people:
 - (1) goods entering or leaving the country;
 - (2) shipping, transportation, and communication agencies;
 - (3) immigration and conditions of labor in industries producing goods in one state to be sold in another state.
 - b. It may control navigable rivers, power development and flood control.
 - c. It may restrict the policing power of any state which uses this power to the detriment of general commercial interest (policing power — regulation of persons and property for the safety, health and welfare of society).
4. Congress may establish uniform laws of naturalization and bankruptcy.
 - a. Naturalization is the process by which desirable foreign-born persons may become citizens of the United States.
 - b. Bankruptcy laws enable debtors to secure releases from their debts on a basis fair to all creditors.
5. Congress may coin money and regulate its value, and fix standards of weights and measures.
6. Congress may punish persons who counterfeit government securities and money.
7. Congress may establish post offices and post roads.
 - a. It provides an efficient, economical postal system.
 - b. It may authorize money payments to airlines, railroads, etc., as well as to states, for building and maintaining roads.
8. Congress may promote science and useful arts by passing laws which permit inventors and authors, for a limited time, exclusive rights to their discoveries and writings.
 - a. A patent protects the inventor for 17 years.
 - b. A copyright protects the author or artist for 28 years.
9. Congress may establish other courts beneath the Supreme Court.
 - a. All Federal Courts, except the Supreme Court, are established by law as needed and may be abolished by law. Congress has created:
 - (1) District Courts and Courts of Appeals;
 - (2) other special courts, such as Customs Courts, Tax Courts, etc.
 - b. The Supreme Court is independent of the Legislative and Executive Departments (see Article III).
10. Congress may uphold international law.
 - a. It punishes piracies and felonies committed on the high seas and offenses against the law of nations.
 - b. It protects and controls Americans abroad.

11. Congress may declare war and make rules concerning captures on land and sea.
 - a. Congress, rather than the President, is given the power to declare war.
 - b. Actually the President, in directing foreign affairs, often has been responsible for the participation of the United States in wars.
12. Congress may raise and support armies but appropriations for this purpose can be made for a term of no more than two years.
 - a. Civilian supremacy over the military is thus insured.
 - b. Actually, Congress appropriates money for the army every year.
13. Congress may provide and maintain a navy.
14. Congress may make rules governing and regulating the land and naval forces.
15. Congress may provide for calling out the state militia (National Guard) in order to:
 - a. execute the laws of the Union;
 - b. suppress insurrections;
 - c. repel invasions.
16. Congress may provide for organizing and training state militias, officered by state appointees.
17. Congress has complete and exclusive control over the District of Columbia.
 - a. Citizens of the District are not permitted to vote.
 - b. District City ordinances are passed by Congress.
 - c. Three District commissioners are appointed by the President, with consent of the Senate, to administer the laws.
18. Congress may pass other laws which may be "necessary and proper" for carrying into execution the foregoing delegated powers, or to execute powers given to the Senate, the President, or the Courts by the Constitution.
 - a. This so-called elastic clause permits Congress to make additional laws which may be convenient or useful in carrying out its duties under the Constitution.
 - b. Thus the Constitution is adaptable to new needs and changing conditions.

SECTION 9. *Certain powers are denied the United States Congress.*

1. Congress could not forbid the importation of slaves until the year 1808.
2. Congress may not suspend the right of *habeas corpus* unless the public safety may so require.
 - a. A writ of *habeas corpus* is a court order requiring a jailer to justify the holding of a prisoner.
 - b. Congress may set aside this right in case of rebellion or invasion.
3. Congress may not pass a bill of attainder or ex post facto law.
 - a. A bill of attainder convicts and punishes a person by law without permitting a regular trial in court.

- b. An ex post facto law punishes a person for an act which was not a crime before the law was passed.
4. Congress may not levy a capitation (head or poll) tax or any other direct tax unless it is the same for every person and in proportion to the census.
5. Congress may not levy a tax on goods exported from any state.
6. Congress must give no preference to one state over another when it regulates interstate or foreign commerce.
7. Congress must not allow anyone in the government to spend out of the United States treasury except by lawful appropriations passed by Congress.
 - a. A statement giving an account of receipts and expenditures is required.
 - b. Congress has financial control over all branches of the government.
8. Congress may not grant anyone a title of nobility; nor, without its consent, may any person holding a Federal public office accept a gift, office, or title from a foreign state.

SECTION 10. *Certain powers are denied the States.*

1. The states may not:
 - a. make treaties or enter into alliances and confederations with foreign states;
 - b. coin money or issue paper money;
 - c. pass bills of attainder;
 - d. pass ex post facto laws;
 - e. pass laws which would impair the obligations of contracts.
 - (1) Individual property rights and corporation franchises are safeguarded.
 - (2) The "due process" clause of the 5th and 14th amendments has largely replaced this provision.
 - f. The states may not grant titles of nobility.
2. The states may not, without consent of Congress, levy duties on foreign imports or exports unless these duties are necessary to make the states' inspection laws effective.
 - a. State inspection laws are subject to revision by Congress.
 - b. Money collected must be turned over to the United States treasury.
 - c. Goods transported from one state to another are subject to control by Congress under the commerce clause.
3. Without consent of Congress the states may not:
 - a. place tonnage taxes on ships entering ports;
 - b. keep troops or ships of war in time of peace (state militia excepted);
 - c. enter into agreements with other states or foreign nations;
 - d. engage in war unless in self-defense.

ARTICLE II

THE EXECUTIVE (LAW EXECUTING AND ENFORCING) BRANCH

SECTION 1. *The President is the chief executive.*

1. The President and Vice-President are elected for four year terms.
2. The method of electing the President is provided.
 - a. The President is elected by the vote of the electors of the states (Electoral College).
 - b. Each state has as many electors as it has Senators and Representatives in Congress. Illinois has twenty-seven.
 - c. Electors are chosen by voters of each state on a state-wide ticket.
 - d. No Senator or Representative or official of the United States government can be an elector.
3. The President and Vice-President are elected by the Electoral College.
 - a. Changes were made by the 12th Amendment.
 - b. Electors meet at the state capitols to cast votes.
 - c. Electors now vote for President and Vice-President on separate ballots.
 - d. A certified report is sent to the President of the United States Senate.
 - e. The votes received from the states are counted in the presence of the Senate and the House of Representatives.
 - f. Political parties are important today in selecting candidates.
 - (1) National party conventions select candidates.
 - (2) Voters vote for electors representing the political parties.
 - (3) Electors usually are pledged to vote for their party's candidates.
4. Congress fixes the time for choosing electors and the casting of their votes.
 - a. Electors are chosen the first Tuesday after the first Monday in November in the presidential election year.
 - b. Electors cast their ballots at the state capitols on the first Monday after the second Wednesday in December.
 - c. Electoral votes are counted in the presence of Congress on January 6 and the winner is declared elected.
5. Qualifications for the President are stated. He must:
 - a. be a natural born citizen of the United States;
 - b. be at least 35 years of age;
 - c. have been a resident within the United States for at least fourteen years.
6. Congress determines who shall succeed to the Presidency in case of the death or disability of the President.
 - a. The Vice-President becomes the President.
 - b. Succession is further established by the Law of Presidential Succession, 1947:

- (1) Speaker of the House;
 - (2) President pro tempore of the Senate;
 - (3) Members of the President's cabinet in the following order:
Secretary of State, Treasury, Defense; Attorney General; Postmaster General; Secretary of Agriculture, Interior, Commerce, and Labor.
7. Congress determines the compensation of the President.
- a. Salary and expenses were fixed by Congress in 1949. He receives:
 - (1) \$100,000 a year, free use of the White House, and secretarial assistance;
 - (2) \$40,000 annually for traveling expenses;
 - (3) \$50,000 annually for general purposes.
 - b. Compensation cannot be increased or decreased during the term for which he is elected.
8. The President takes the following oath of office: "I do solemnly swear (or affirm), that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States."

SECTION 2. *Powers of the President are stated.*

1. The President has military and civil powers.
- a. He is the Commander-in-Chief of the Army and Navy.
 - b. He is the Commander-in-Chief of state militias when they are in the service of the United States.
 - c. He has special war and emergency powers.
 - d. He secures advice from heads of executive departments (cabinet members).
 - e. He grants pardons and reprieves for crimes against the United States, except in impeachment cases.
2. The President has treaty and appointive powers.
- a. The President makes treaties and agreements with foreign countries.
 - (1) Treaties require approval by a two-thirds vote of the Senate.
 - (2) Executive agreements do not require approval of the Senate.
 - b. The President appoints officers of the United States.
 - (1) Important officials, ambassadors, judges, cabinet officers, require approval of the Senate by a majority vote.
 - (2) Inferior officers, Congress permitting, do not require approval of the Senate.
3. The President makes recess appointments (to fill vacancies when the Senate is not in session).
- a. Recess appointments require subsequent approval by the Senate.
 - b. The President usually consults with the Senator of his own party, from the State where Federal appointments are to be made (Senatorial Courtesy).

SECTION 3. *Duties of the President are stated.*

1. He informs Congress of the state of the Union and makes recommendations for legislation.

2. He may call one or both Houses of Congress into special session.
3. He may adjourn Congress in case of disagreement between the House and Senate in regard to adjournment.
4. He may receive, refuse to receive, or dismiss representatives of foreign governments.
 - a. Foreign governments speak to the United States through the President.
 - b. The President may recognize new governments of foreign states.
5. He enforces laws.
 - a. He appoints, and may also remove, all executive officers entrusted with enforcing the laws.
 - b. He uses Federal courts and marshals to execute the laws.
 - c. As Commander-in-Chief he may use the military to enforce the Constitution, Federal laws, and treaties.
 - d. He is given special powers by Congress during war.

SECTION 4. *The President, Vice-President and other civil officers may be impeached.*

1. They may be removed for treason, bribery and other high crimes and misdemeanors.
2. Unfitness and incompetency are not grounds for impeachment.

ARTICLE III

THE JUDICIAL (LAW INTERPRETING) BRANCH

SECTION 1. *The Judicial power of the United States is vested in the Federal courts.*

1. The Supreme Court was created by the Constitution.
2. Congress establishes inferior courts such as:
 - a. District Courts (97),
 - b. Courts of Appeals (11) (Illinois — 7th Circuit),
 - c. Special Federal Courts.
3. The Courts have the power to:
 - a. interpret laws (explain the meaning of laws through court decisions);
 - b. decide upon the constitutionality of laws (whether or not laws are in accord with the Constitution).
4. Federal judges are appointed for life, subject to impeachment.
5. The number of judges is determined by Congress.
 - a. The Supreme Court has 9 members at present.
 - b. The number of judges of other Federal Courts vary with the number and nature of cases.
6. Compensation of judges is determined by Congress.

SECTION 2. *The Jurisdiction (authority) of the United States courts is prescribed.*

1. The courts have power in many types of cases. For example —
 - a. Some cases arise because of the nature of the dispute, such as those:
 - (1) requiring interpretation of the Constitution, Federal laws, and treaties;
 - (2) concerning ships and shipping.
 - b. Some cases arise because of the parties to the dispute, such as those in which:
 - (1) the United States is a party to a dispute;
 - (2) a state is a party to a dispute;
 - (3) citizens of different states are parties to a dispute;
 - (4) foreign ambassadors, ministers, and consuls are concerned.
2. The Supreme Court has original jurisdiction in certain cases such as those:
 - a. affecting ambassadors, ministers, and consuls;
 - b. in which a state is a party.
3. In all other cases, the Supreme Court has appellate jurisdiction (to hear and decide appeals from lower court decisions).
 - a. The right of appeal to the Supreme Court may be restricted by Congress.
 - b. The Supreme Court selects and reviews only important cases.
4. The right of trial by jury is guaranteed, except in impeachment cases.
 - a. Trial must be held in the state where the crime occurred.
 - b. Trial by jury is also guaranteed by the 5th, 6th, and 7th amendments.

SECTION 3. *Treason is carefully defined.*

1. Treason is an attempt, either to overthrow the government to which one owes allegiance, or to give aid and comfort to an enemy. Conviction requires:
 - a. confession in open court;
 - b. on testimony of two witnesses to the same overt act.
2. Congress fixes the punishment for treason.
 - a. Treason is punishable by death, or a minimum of 5 years' imprisonment and a \$10,000 fine.
 - b. Congress may not punish relatives of a traitor for the traitor's act.

ARTICLE IV

INTERSTATE RELATIONS AND THE FEDERAL GOVERNMENT

SECTION 1. *Each state must give "full faith and credit" (respect) to the legal acts and records of every other state.*

SECTION 2. *A state has certain duties to citizens of other states.*

1. It should provide the same treatment for out-of-state citizens as for its own.

2. It should return a runaway criminal to the state from which he fled, upon request of the Governor of the state (extradition).

SECTION 3. *Organization of territories and admission of new states are regulated.*

1. Congress may admit new states to the Union.
 - a. It may refuse admittance for failure to comply with certain conditions.
 - b. It may not divide or split up old states to organize new ones without the consent of the Legislatures of the states concerned.
 - c. States may not secede (leave) from the Union — “an indestructible Union composed of indestructible states.”
2. Congress may govern and dispose of territories of the United States.
 - a. It can protect and improve public lands and establish national parks.
 - b. All territories need not be governed in the same manner — Constitutional rights do not follow the flag.

SECTION 4. *Protection to the states is provided.*

1. The states are guaranteed a republican form of government. The people:
 - a. establish and run the government;
 - b. elect representatives to make laws;
 - c. protect their rights by limiting the powers of government in written constitutions.
2. The states are protected against invasion.
3. The states are protected against internal riots when aid is requested by the Governor.

ARTICLE V

PROVISIONS FOR AMENDING THE CONSTITUTION

1. The two ways in which amendments may be proposed are:
 - a. by a two-thirds vote of both houses of Congress;
 - b. by a national convention called by Congress, if requested by the legislatures of two-thirds of the states (never used).
2. The two ways in which amendments may be ratified (approved) are:
 - a. by legislatures of three-fourths of the states;
 - b. by conventions of three-fourths of the states.
3. The Constitution is difficult to amend.
 - a. Over 4,500 amendments have been introduced in Congress.
 - b. Actually 28 have been proposed.
 - c. Only 22 amendments have been ratified.

ARTICLE VI

THE SUPREMACY OF THE CONSTITUTION

1. The new government, under the Constitution, assumed the debts and other obligations of the former government of the United States (Articles of Confederation).

2. The Supremacy of the Federal government was established by the Constitution.
 - a. The principal laws of the United States, in order of their importance, are as follows:
 - (1) the Constitution of the United States;
 - (2) treaties made under the authority of the United States;
 - (3) Federal laws made in pursuance of the Constitution;
 - (4) Constitutions of the states;
 - (5) state laws;
 - (6) laws passed by local units of government.
 - b. The National government is supreme within its areas of limited power (Article 1, Section 8).
 - (1) State judges must uphold Federal authority.
 - (2) Treaty-making powers are broader than law-making powers.
 - (3) Treaty-making powers may not be used to deprive citizens of their constitutional rights.
 - c. All legislative, executive and judicial officers of the national and state governments must swear to support the Constitution.
3. No person may be barred from holding a Federal office because of his religion.

ARTICLE VII

RATIFICATION OF THE CONSTITUTION

1. The Constitution was not to be in force until ratified by at least 9 states.
2. The Constitution was completed and signed September 17, 1787.
3. The Constitution was ratified by all thirteen states by 1790.

AMENDMENTS TO THE CONSTITUTION

THE FIRST TEN AMENDMENTS PROTECT THE FUNDAMENTAL RIGHTS — "THE BILL OF RIGHTS"

AMENDMENT 1. *Guarantees freedom of religion, speech, press, assembly and petition.*

1. The individual has the right to worship as he pleases.
 - a. The government may not establish a religion for the people.
 - b. Public schools may not teach religion.
2. The individual has the right to say, write, or print almost anything he wishes.
 - a. He may be restrained when "clear and present danger" so requires.
 - b. This amendment upholds the right of peaceful picketing by labor unions.
3. Individuals have the right to meet and talk together peaceably.
4. The individual has the right to petition the government to correct grievances and injustices.

AMENDMENT 2. *Guarantees the right to bear arms and maintain a militia.*

1. It guarantees the right to establish a citizen army (the National Guard).
2. Congress may not forbid people to own and use weapons for lawful purposes.
3. Congress may regulate or tax the sale and use of weapons by individuals.

AMENDMENT 3. *Protects home and property owners against the quartering of soldiers.*

1. The Federal Government may not force a citizen to house or feed soldiers in time of peace.
2. Quartering of soldiers in time of war is prescribed by law.

AMENDMENT 4. *Protects individuals from unreasonable arrests, searches and seizures.*

1. It protects homes and property from search and seizure without a warrant.
2. A warrant must describe the place to be searched and the persons or things to be seized.

AMENDMENT 5. *Guarantees the right to life, liberty, and property. No person can be:*

1. if accused of a serious crime, tried by the Federal Government until a grand jury has returned an indictment;
2. tried twice for the same crime;
3. compelled to testify against himself;
4. deprived of life, liberty, or property without "due process of law" (legal and judicial fair play).
5. No private property can be taken for public use without fair payment (right of eminent domain).

AMENDMENT 6. *Guarantees protection to persons on trial for crimes. The individual has the right to:*

1. a public trial as soon as possible after arrest (right of habeas corpus);
2. an impartial jury selected from the region where the crime was committed;
3. be informed of the nature and cause of the accusation in order to prepare a proper defense;
4. see and hear witnesses against him and to cross-examine them;
5. use the government's service to bring witnesses into court (subpoena);
6. have a lawyer, appointed and paid for by the government if necessary.

AMENDMENT 7. *Guarantees the right of trial by jury, if desired, in common law cases involving more than \$20.*

AMENDMENT 8. *Protects individuals against excessive bails and cruel and unusual punishments.*

1. Bail is money or property given as surety that a person permitted to leave the jail will return at the appointed time for trial.
2. Fair bail or punishment depends upon the nature of the offense.
3. The death penalty is not considered as a cruel and unusual punishment.

AMENDMENT 9. *Protects all fundamental rights.*

1. Man is born with natural rights not listed in the Constitution.
2. It is the duty of the government to respect all natural rights of the people.

AMENDMENT 10. *Guarantees to the states, and to the people, the powers not delegated to the Federal Government.*

1. It establishes a Federal system of government in the United States.
 - a. Powers of the National government are enumerated in the Constitution (Art. I, Sect. 8).
 - b. Powers reserved to the state governments are restricted by their state constitutions.
 - c. The people are the source of all power — "Government of the people, by the people, for the people."
2. This division of powers has caused the conflict between national authority and states' rights.

ADDITIONAL AMENDMENTS TO THE CONSTITUTION WERE NEEDED

AMENDMENT 11. *Limits the power of the Federal Courts (1798).*

1. Previously the Constitution had permitted Federal Courts to try cases "against one of the United States by citizens of another state."
2. This amendment forbids Federal Courts to try such cases.

AMENDMENT 12. *Changes the method of electing the President and Vice-President (1804).*

1. The Constitution had provided that:
 - a. the electors should vote for the President and the Vice President on the same ballot;
 - b. the person receiving the highest vote should be President; the next highest, Vice-President.
2. This amendment provides the following changes:
 - a. The electors must cast separate ballots for the President and Vice-President.
 - b. In case no candidate receives a majority of votes in the Electoral College:
 - (1) the House of Representatives votes for President on the three candidates having the highest number of votes for President.
 - (2) the Senate votes for Vice-President on the two candidates having the highest number of votes for Vice-President.

AMENDMENTS WERE ADDED AS A CONSEQUENCE OF THE CIVIL WAR

AMENDMENT 13. *Abolishes slavery in the United States (1865).*

AMENDMENT 14. *Places further limitations on the states (1868).*

1. A state may not take away the rights of Federal citizenship from any natural born or naturalized person. A state may not:

- a. deprive a person of life, liberty, or property without due process of law;
 - b. deny to any person within its jurisdiction equal protection of the laws.
 - c. The purpose of this amendment was to give full rights of citizenship to all freed men.
 2. A state's representation is reduced if it limits the franchise.
 - a. All freed men were to be counted in the census, from which the number of representatives from a state is determined.
 - b. States barring freed men from voting could not include them in the count of the population for representation.
 3. Punishment was provided for leaders of the Confederacy.
 4. Debts of the Confederacy were not to be paid.
- AMENDMENT 15. *Gives negroes the right to vote (1870).*
1. Federal and state governments may not bar any citizen from voting because of race, color, or previous condition of servitude (slavery).
 2. Citizens may be barred from voting for other reasons.

AMENDMENTS WHICH HAVE BEEN ADDED SINCE 1913

AMENDMENT 16. *Permits Congress to tax incomes (1913).*

AMENDMENT 17. *Provides for the direct election of United States Senators (1913).*

1. Previously Senators had been elected by their state legislatures.
2. Voters now elect their Senators by direct vote.
3. Vacancies are filled by temporary appointments made by the governors of the states in which they occur.

AMENDMENT 18. *Prohibited intoxicating liquors (1919).*

1. It forbade the manufacture, sale, or transportation of intoxicating liquors.
2. Due to lack of public support it was not enforced.
3. It was repealed by the 21st amendment.

AMENDMENT 19. *Gives women the right to vote (1920).*

1. A citizen may not be barred from voting on account of sex.
2. State laws regarding women's status in other matters are not affected.

AMENDMENT 20. *Is known as the "Lame Duck" amendment (1933).*

1. Losers in the November elections (Lame Ducks) served in Congress several months after defeat. This amendment provides that:
 - a. the Congress elected in November shall assemble each year on January 3;
 - b. the President and Vice-President take office on January 20.

AMENDMENT 21. *Repeals national prohibition (1933).*

1. Repeals the 18th Amendment.
2. Allows states who wish to keep prohibition to do so.

AMENDMENT 22. *Limits the President to two terms in office (1951).*

1. A Vice-President may be elected to the Presidency only once if he has already served more than two years of a previous President's term.
2. The maximum duration of office of any President is 10 years.

REVIEW QUESTIONS ON THE UNITED STATES CONSTITUTION

1. Why was it necessary to "form a more perfect union"?
2. What is a Federal system of government? How did our Constitution provide for this plan?
3. Why are "separation of powers" and "checks and balances" important?
4. The Preamble states the purposes for adopting the Constitution. What were these purposes?
5. How many members are there in the House of Representatives? What is their term of office? Who may vote for members of the House?
6. What are the qualifications for a Representative?
7. What is the impeachment power of the House?
8. How many Senators are there? How were the Senators chosen before 1913? How are they chosen today? What is their term of office?
9. What are the qualifications for a Senator?
10. Who is the presiding officer of the House? Does he have a vote?
11. Who is the presiding officer of the Senate? Does he have a vote?
12. What is the function of the Senate in regard to impeachment cases? How may a convicted official be punished?
13. Who controls the time, place and manner of holding elections for Senators and Representatives?
14. What special privileges do Senators and Representatives have? What restrictions are placed on them?
15. In which house of Congress must revenue bills originate?
16. Describe the procedure of passing laws.
17. How may a bill become a law without the President's signature? What is a "pocket veto"?
18. What is meant by "delegated powers"? Why were such powers given to Congress?
19. Who has the "reserved powers"? Why?
20. Why has the "commerce clause" become so important in recent years? Give an illustration of its use.
21. Define the following terms: duties, excises, naturalization, bankruptcy, counterfeiting, patent, copyright, felony, militia, District of Columbia.
22. What is the "elastic clause"? Why has this been important in the development of our country? Give an example of its use.
23. Define and explain the importance of the following: writ of habeas corpus, bill of attainder, ex post facto law.
24. Give at least five restrictions which were placed on the states.
25. Describe the method used in electing the President and the Vice-President. What are their terms of office?
26. What are the qualifications for a President?
27. What is the order of Presidential succession today?

28. What compensation does the President receive?
29. Give at least five powers of the President.
30. Give at least five duties of the President.
31. Define the following: electoral college, reprieve, pardon, impeachment.
32. Describe the structure of the United States Judicial system.
33. Over what cases do the Federal courts have jurisdiction?
34. In what cases does the Supreme Court have original jurisdiction? appellate jurisdiction?
35. What is treason? How is it punished?
36. What are the obligations of one state to another?
37. What protection and guarantees does the National government give to the states?
38. Describe the procedure of amending the Constitution.
39. Give the principal laws of the United States in order of their importance.
40. What is our Bill of Rights? Give at least ten fundamental rights which are protected.
41. What is the significance of the 10th amendment?
42. What protection did the states receive by the 11th amendment?
43. Why was it necessary to pass the 12th amendment? What changes were made in the method of selecting the President and Vice-President?
44. What changes were made in the status of the freed negro by the 13th, 14th, and 15th amendments?
45. Why was it necessary to pass the 16th amendment in order to allow Congress to levy an income tax?
46. What change was made in the method of electing Senators by the 17th amendment?
47. What is unusual about the 18th amendment?
48. According to the 15th and the 19th amendments, what restrictions cannot be used to bar people from voting?
49. Why is the 20th amendment called the "Lame Duck" amendment?
50. According to the 22nd amendment, what is the longest period of time a President of the United States can remain in office?

CONSTITUTION OF THE STATE OF ILLINOIS

Adopted in Convention at Springfield, May 13, 1870.

Ratified by the People, July 2, 1870.

In force August 8, 1870.

PREAMBLE

We, the people of the State of Illinois — grateful to Almighty God for the civil, political and religious liberty which He hath so long permitted us to enjoy, and looking to Him for a blessing upon our endeavors to secure and transmit the same unimpaired to succeeding generations — in order to form a more perfect government, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity; do ordain and establish this Constitution for the State of Illinois.

ARTICLE I BOUNDARIES

The boundaries and jurisdiction of the State shall be as follows, to-wit: Beginning at the mouth of the Wabash river; thence up the same, and with the line of Indiana, to the northwest corner of said State; thence east, with the line of the same State, to the middle of Lake Michigan; thence north along the middle of said lake, to north latitude forty-two degrees and thirty minutes; thence west to the middle of the Mississippi river, and thence down along the middle of that river to its confluence with the Ohio river, and thence up the latter river, along its northwestern shore, to the place of beginning: *Provided*, that this State shall exercise such jurisdiction upon the Ohio river, as she is now entitled to, or such as may hereafter be agreed upon by this State and the State of Kentucky.

ARTICLE II BILL OF RIGHTS

§ 1. **Inherent and Inalienable Rights.** All men are by nature free and independent, and have certain inherent and inalienable rights — among these are life, liberty and the pursuit of happiness. To secure these rights and the protection of property, governments are instituted among men, deriving their just powers from the consent of the governed.

§ 2. **Due process of Law.** No person shall be deprived of life, liberty or property, without due process of law.

§ 3. **Religious Freedom.** The free exercise and enjoyment of religious profession and worship, without discrimination, shall forever be guaranteed; and no person shall be denied any civil or political right, privilege or capacity, on account of his religious opinions; but the liberty of conscience hereby secured shall not be construed to dispense with oaths or affirmations, excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of the State. No person shall be required to attend or support any ministry or place of worship against his consent, nor shall any preference be given by law to any religious denomination or mode of worship.

§ 4. **Freedom of Speech.** Every person may freely speak, write and publish on all subjects, being responsible for the abuse of that liberty; and in all trials for libel, both civil and criminal, the truth, when published with good motives and for justifiable ends, shall be a sufficient defense.

§ 5. **Trial by Jury.** The right of trial by jury as heretofore enjoyed, shall remain inviolate; but the trial of civil cases before justices of the peace by a jury of less than twelve men, may be authorized by law.

§ 6. **Searches and Seizures.** The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated; and no warrant shall issue without probable cause, supported by affidavit, particularly describing the place to be searched, and the persons or things to be seized.

§ 7. **Bail and Habeas Corpus.** All persons shall be bailable by sufficient sureties, except for capital offenses, where the proof is evident or the presumption great; and the privilege of the writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

§ 8. **Indictment.** No person shall be held to answer for a criminal offense, unless on indictment of a grand jury, except in cases in which the punishment is by fine, or imprisonment otherwise than in the penitentiary, in cases of impeachment, and in cases arising in the army and navy, or in the militia when in actual service in time of war or public danger: *Provided*, that the grand jury may be abolished by law in all cases.

§ 9. **Rights After Indictment.** In all criminal prosecutions, the accused shall have the right to appear and defend in person and by counsel; to demand the nature and cause of the accusation, and to have a copy thereof; to meet the witnesses face to face—and to have process to compel the attendance of witnesses in his behalf, and a speedy public trial by an impartial jury of the county or district in which the offense is alleged to have been committed.

§ 10. **Self Incrimination and Double Jeopardy.** No person shall be compelled in any criminal case to give evidence against himself, or be twice put in jeopardy for the same offense.

§ 11. **Limitation of Penalties After Conviction.** All penalties shall be proportioned to the nature of the offense; and no conviction shall work corruption of blood or forfeiture of estate; nor shall any person be transported out of the State for any offense committed within the same.

§ 12. **Imprisonment for Debt.** No person shall be imprisoned for debt, unless upon refusal to deliver up his estate for the benefit of his creditors, in such manner as shall be prescribed by law; or in cases where there is strong presumption of fraud.

§ 13. **Right of Eminent Domain.** Private property shall not be taken or damaged for public use without just compensation. Such compensation, when not made by the State, shall be ascertained by a jury, as shall be prescribed by law. The fee of land taken for railroad tracks, without consent of the owners thereof, shall remain in such owners, subject to the use for which it is taken.

§ 14. **Ex Post Facto Laws and Impairing Contracts.** No *ex post facto* law, or law impairing the obligation of contracts, or making any irrevocable grant of special privileges or immunities, shall be passed.

§ 15. **Subordination of Military Power.** The military shall be in strict subordination to the civil power.

§ 16. **Quartering of Soldiers.** No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war except in the manner prescribed by law.

§ 17. **Right to Assemble and Petition.** The people have the right to assemble in a peaceable manner to consult for the common good, to make known their opinions to their representatives, and to apply for redress of grievances.

§ 18. **Free Elections.** All elections shall be free and equal.

§ 19. **Right to Remedy and Justice.** Every person ought to find a certain remedy in the laws for all injuries and wrongs which he may receive in his person, property or reputation; he ought to obtain, by law, right and justice freely and without being obliged to purchase it, completely and without denial, promptly and without delay.

§ 20. **Fundamental Principles.** A frequent recurrence to the fundamental principles of civil government is absolutely necessary to preserve the blessings of liberty.

ARTICLE III

DISTRIBUTION OF POWERS

The powers of the government of this State are divided into three distinct departments — the legislative, executive and judicial; and no person, or collection of persons, being one of these departments, shall exercise any power properly belonging to either of the others, except as hereinafter expressly directed or permitted.

ARTICLE IV

LEGISLATIVE DEPARTMENT

§ 1. **General Assembly.** The legislative powers shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives, both to be elected by the people.

§ 2. **Elections — Vacancies.** An election for members of the General Assembly shall be held on the Tuesday next after the first Monday in November, in the

year of our Lord one thousand eight hundred and seventy, and every two years thereafter, in each county, at such places therein as may be provided by law. When vacancies occur in either house, the Governor, or person exercising the powers of Governor, shall issue writs of election to fill such vacancies.

§ 3. **Eligibility and Oath.** No person shall be a Senator who shall not have attained the age of twenty-five years, or a Representative who shall not have attained the age of twenty-one years. No person shall be a Senator or a Representative who shall not be a citizen of the United States, and who shall not have been for five years a resident of this State, and for two years next preceding his election a resident within the territory forming the district from which he is elected. No judge or clerk of any court, Secretary of State, Attorney General, State's Attorney, recorder, sheriff, or collector of public revenue, member of either House of Congress, or person holding any lucrative office under the United States or this State, or any foreign government, shall have a seat in the General Assembly: *Provided*, that appointments in the militia, and the offices of notary public and justice of the peace, shall not be considered lucrative. Nor shall any person holding any office of honor or profit under any foreign government, or under the government of the United States, (except postmasters whose annual compensation does not exceed the sum of three hundred dollars) hold any office of honor or profit under the authority of this State.

§ 4. **Disqualification for Crimes.** No person who has been, or hereafter shall be convicted of bribery, perjury or other infamous crime, nor any person who has been or may be a collector or holder of public moneys, who shall not have accounted for and paid over, according to law, all such moneys due from him, shall be eligible to the General Assembly, or to any office of profit or trust in this State.

§ 5. **Oath of Office.** Members of the General Assembly, before they enter upon their official duties, shall take and subscribe the following oath or affirmation:

"I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Illinois, and will faithfully discharge the duties of Senator (or Representative) according to the best of my ability; and that I have not, knowingly or intentionally, paid or contributed anything, or made any promise in the nature of a bribe, to directly or indirectly influence any vote at the election at which I was chosen to fill the said office, and have not accepted, nor will I accept or receive, directly or indirectly, any money or other valuable thing, from any corporation, company or person, for any vote or influence I may give or withhold on any bill, resolution or appropriation, or for any other official act."

This oath shall be administered by a judge of the supreme or circuit court in the hall of the house to which the member is elected, and the Secretary of State shall record and file the oath subscribed by each member. Any member who shall refuse to take the oath herein prescribed shall forfeit his office, and every member who shall be convicted of having sworn falsely to, or of violat-

ing, his said oath, shall forfeit his office and be disqualified thereafter from holding any office of profit or trust in this State.

§ 6. **Senatorial Apportionment.**¹ *State Senators.* The General Assembly in 1955 shall redistrict the state for the purpose of electing state senators. There shall be fifty-eight senatorial districts. Cook county shall have twenty-four of the districts. These twenty-four districts shall be located as follows: Eighteen in the territory that is within the present corporate limits of the city of Chicago; and six in the territory that is in Cook county outside such corporate limits. The remaining one hundred and one counties of the state shall have thirty-four of the senatorial districts.

All senatorial districts shall be formed of contiguous and compact territory. In their formation, area shall be the prime consideration.

The senatorial districts shall be numbered one, two, three, and so forth, including fifty-eight. Each such district shall elect one senator, whose term of office shall be four years. Senators elected in districts bearing even numbers shall be elected in 1956 and every four years thereafter; and senators elected in districts bearing odd numbers shall be elected in 1958 and every four years thereafter.

§ 7. *Representatives.* The General Assembly in 1955 and 1963, and every ten years thereafter, shall redistrict the state for the purpose of electing state representatives. There shall be fifty-nine representative districts. In the 1955 redistricting Cook County shall have thirty of the districts. These thirty districts shall be located as follows: Twenty-three in the territory that is within the present corporate limits of the City of Chicago; and seven in the territory that is in Cook County outside such corporate limits. In the 1955 redistricting, the remaining one hundred and one counties of the state shall have twenty-nine of the representative districts. In redistricting subsequent to the 1960 census, and thereafter, the fifty-nine representative districts shall be divided among (1) that part of Cook County that is within the present corporate limits of the City of Chicago, (2) that part of Cook County that is outside such corporate limits, and (3) the remaining one hundred and one counties of the state, as nearly as may be, as the population of each of these three divisions bears to the total population of the state.

Representative districts shall be formed of contiguous and compact territory, and shall contain, as nearly as practicable, a population equal to the representative ratio; outside of Cook county, such districts shall be bounded by county lines unless the population of any county entitles it to more than one representative district. The representative ratio for the entire state shall be the quotient obtained by dividing the population of the state by fifty-nine. No representative district may contain less population than four-fifths of the representative ratio.

¹ As modified by the eleventh amendment to the Constitution of 1870. The joint resolution was adopted by the Senate June 16, 1953 and concurred in by the House June 18, 1953, and proclaimed adopted November 19, 1954.

Three representatives shall be elected in each representative district in 1956 and every two years thereafter. The term of office shall be two years. In all elections of representatives aforesaid, each qualified voter may cast as many votes for one candidate as there are representatives to be elected, or may distribute the same, or equal parts thereof, among the candidates as he shall see fit; and the candidates highest in votes shall be declared elected.

§ 8. *Redistricting.* In performing its duties under Sections 6 and 7 of this amendment, the General Assembly shall redistrict and reapportion in a single legislative enactment. If, however, the regular session of the General Assembly in 1955 as to both senatorial and representative districts or in 1963, or any ten years thereafter as to representative districts, fails by the first day of July to redistrict the state into such districts, then the redistricting shall be accomplished by a commission. Within thirty days after such first day of July, the state central committee of each of the two political parties, casting the highest votes for governor at the last preceding gubernatorial election, shall submit to the governor of the state a list of ten persons. Within thirty days thereafter, the governor shall appoint the commission of ten members, five from each list. If either of the state central committees fails to submit the list within the specified time, the governor, within the specified time, shall appoint five members of his own choice from the party of such committee. Each member of the committee shall receive \$25.00 a day, but not more than \$2,000 for his service.

This commission shall redistrict the state into senatorial districts and into representative districts in the manner specified above. This commission shall file with the secretary of state a full statement of the numbers of the senatorial and representative districts and their boundaries. No such statement shall be valid unless approved by seven members of such commission.

After such statement is filed, senators and representatives shall be elected according to the statement and the districts therein determined, until a redistricting and reapportionment are thereafter made by the General Assembly as provided in this amendment. If, however, the statement is not filed within four months after the commission is appointed it shall stand discharged. Thereupon, all senators, scheduled for election at the next election for state senators, and all state representatives shall be nominated and elected at the next election from the state at large. Following such an election at large, the General Assembly at its next regular session shall perform the duties specified in this amendment. But if such a General Assembly fails to perform these duties, then another commission, as specified in this Section 8, shall be appointed in like manner, with like duties, and power, and with like effect; and so forth until a valid senatorial and representative redistricting and reapportionment are secured in this 1950 decade and each decade thereafter. But there can be only one valid senatorial and representative redistricting and reapportionment during a particular decade.

§ 9. *Organization Procedure.* The sessions of the General Assembly shall com-

mence at twelve o'clock noon, on the Wednesday next after the first Monday in January, in the year next ensuing the election of members thereof, and at no other time, unless as provided by this Constitution.

A majority of the members elected to each house shall constitute a quorum. Each house shall determine the rules of its proceedings, and be the judge of the election, returns and qualifications of its members; shall choose its own officers; and the Senate shall choose a temporary President to preside when the Lieutenant Governor shall not attend as President or shall act as governor. The Secretary of State shall call the House of Representatives to order at the opening of each new Assembly, and preside over it until a temporary presiding officer thereof shall have been chosen and shall have taken his seat. No member shall be expelled by either house, except by a vote of two-thirds of all the members elected to that house, and no member shall be twice expelled for the same offense. Each house may punish by imprisonment any person, not a member, who shall be guilty of disrespect to the house by disorderly or contemptuous behavior in its presence. But no such imprisonment shall extend beyond twenty-four hours at one time, unless the person shall persist in such disorderly or contemptuous behavior.

§ 10. **Open Sessions — Adjournments — Journals.** The doors of each house and of committees of the whole shall be kept open, except in such cases as, in the opinion of the house, require secrecy. Neither house shall, without the consent of the other, adjourn for more than two days, or to any other place than that in which the two houses shall be sitting. Each house shall keep a journal of its proceedings, which shall be published. In the Senate at the request of two members, and in the House at the request of five members, the yeas and nays shall be taken on any question, and entered upon the journal. Any two members of either house shall have liberty to dissent from and protest, in respectful language, against any act or resolution which they think injurious to the public or to any individual, and have the reasons of their dissent entered upon the journals.

§ 11. **Enacting Clause.** The style of the laws of this State shall be: "*Be it enacted by the People of the State of Illinois, represented in the General Assembly.*"

§ 12. **Origin of Bills.** Bills may originate in either house, but may be altered, amended or rejected by the other; and on the final passage of all bills, the vote shall be by yeas and nays, upon each bill separately, and shall be entered upon the journal; and no bill shall become a law without the concurrence of a majority of the members elected to each house.

§ 13. **Passage of Bills.** Every bill shall be read at large on three different days, in each house; and the bill and all amendments thereto shall be printed before the vote is taken on its final passage; and every bill, having passed both houses, shall be signed by the Speakers thereof. No act hereafter passed shall embrace more than one subject, and that shall be expressed in the title. But if any subject shall be embraced in an act which shall not be expressed in the title, such act shall be void only as to so much thereof as shall not be

so expressed; and no law shall be revived or amended by reference to its title only, but the law revived, or the section amended, shall be inserted at length in the new act. And no act of the General Assembly shall take effect until the first day of July next after its passage, unless, in case of emergency, (which emergency shall be expressed in the preamble or body of the act), the General Assembly shall, by a vote of two-thirds of all the members elected to each house, otherwise direct.

§ 14. **Privileges of Members.** Senators and Representatives shall, in all cases, except treason, felony or breach of the peace, be privileged from arrest during the session of the General Assembly, and in going to and returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

§ 15. **Restrictions on Members.** No person elected to the General Assembly shall receive any civil appointment within this State from the Governor, the Governor and Senate, or from the General Assembly, during the term for which he shall have been elected; and all such appointments, and all votes given for any such members for any such office or appointment, shall be void; nor shall any member of the General Assembly be interested; either directly or indirectly, in any contract with the State, or any county thereof, authorized by any law passed during the term for which he shall have been elected, or within one year after the expiration thereof.

§ 16. **Appropriations.** The General Assembly shall make no appropriation of money out of the treasury in any private law. Bills making appropriations for the pay of members and officers of the General Assembly, and for the salaries of the officers of the government, shall contain no provisions on any other subject.

§ 17. **Treasury Warrants — Duty of Auditor.** No money shall be drawn from the treasury except in pursuance of an appropriation made by law, and on the presentation of a warrant issued by the Auditor thereon; and no money shall be diverted from any appropriation made for any purpose, or taken from any fund whatever, either by joint or separate resolution. The Auditor shall, within sixty days after the adjournment of each session of the General Assembly, prepare and publish a full statement of all money expended at such session, specifying the amount of each item, and to whom and for what paid.

§ 18. **Appropriations for State Expenditures.** Each General Assembly shall provide for all the appropriations necessary for the ordinary and contingent expenses of the government until the expiration of the first fiscal quarter after the adjournment of the next regular session, the aggregate amount of which shall not be increased without a vote of two-thirds of the members elected to each house, nor exceed the amount of revenue authorized by law to be raised in such time; and all appropriations, general or special, requiring money to be paid out of the State treasury, from funds belonging to the State, shall end with such fiscal quarter: *Provided*, the State may, to meet casual deficits or failures in revenues, contract debts, never to exceed in the aggregate two hundred and fifty thousand dollars; and moneys thus borrowed shall be applied

to the purpose for which they were obtained, or to pay the debt thus created, and to no other purpose; and no other debt, except for the purpose of repelling invasion, suppressing insurrection, or defending the State in war, (for payment of which the faith of the State shall be pledged), shall be contracted, unless the law authorizing the same shall, at a general election, have been submitted to the people, and have received a majority of the votes cast for members of the General Assembly at such election. The General Assembly shall provide for the publication of said law for three months, at least, before the vote of the people shall be taken upon the same; and provision shall be made, at the time, for the payment of the interest annually, as it shall accrue, by a tax levied for the purpose, or from other sources of revenue; which law, providing for the payment of such interest by such tax, shall be irrepealable until such debt be paid: *And provided, further*, that the law levying the tax shall be submitted to the people with the law authorizing the debt to be contracted.

§ 19. **Unauthorized Compensation and Payments Prohibited.** The General Assembly shall never grant or authorize extra compensation, fee or allowance to any public officer, agent, servant or contractor, after service has been rendered or a contract made, nor authorize the payment of any claim, or part thereof, hereafter created against the State under any agreement or contract made without express authority of law; and all such unauthorized agreements or contracts shall be null and void: *Provided*, the General Assembly may make appropriations for expenditures incurred in suppressing insurrection or repelling invasion.

§ 20. **Assumption of Debts Prohibited.** The State shall never pay, assume or become responsible for the debts or liabilities of, or in any manner give, loan or extend its credit to, or in aid of any public or other corporation, association or individual.

§ 21. **Compensation of Members.** The members of the General Assembly shall receive for their services the sum of five dollars per day, during the first session held under this Constitution, and ten cents for each mile necessarily traveled in going to and returning from the seat of government, to be computed by the Auditor of Public Accounts; and thereafter such compensation as shall be prescribed by law, and no other allowance or emolument, directly or indirectly, for any purpose whatever; except the sum of fifty dollars per session to each member, which shall be in full for postage, stationery, newspapers, and all other incidental expenses and perquisites; but no change shall be made in the compensation of members of the General Assembly during the term for which they may have been elected. The pay and mileage allowed to each member of the General Assembly shall be certified by the Speakers of their respective houses, and entered on the journals, and published at the close of each session.

§ 22. **Special Legislation Prohibited.** The General Assembly shall not pass local or special laws in any of the following enumerated cases, that is to say: For—

Granting divorces;

Changing the names of persons or places;
 Laying out, opening, altering and working roads or highways;
 Vacating roads, town plans, streets, alleys and public grounds;
 Locating or changing county seats;
 Regulating county and township affairs;
 Regulating the practice in courts of justice;
 Regulating the jurisdiction and duties of justices of the peace, police magistrates, and constables;
 Providing for changes of venue in civil and criminal cases;
 Incorporating cities, towns, or villages, or changing or amending the charter of any town, city or village;
 Providing for the election of members of the board of supervisors in townships, incorporated towns or cities;
 Summoning and impaneling grand or petit juries;
 Providing for the management of common schools;
 Regulating the rate of interest on money;
 The opening and conducting of any election, or designating the place of voting;
 The sale or mortgage of real estate belonging to minors or others under disability;
 The protection of game or fish;
 Chartering or licensing ferries or toll bridges;
 Remitting fines, penalties or forfeitures;
 Creating, increasing, or decreasing fees, percentage or allowances of public officers, during the term for which said officers are elected or appointed;
 Changing the law of descent;
 Granting to any corporation, association or individual the right to lay down railroad tracks, or amending existing charters for such purpose;
 Granting to any corporation, association or individual any special or exclusive privilege, immunity or franchise whatever.
 In all other cases where a general law can be made applicable, no special law shall be enacted.

§ 23. **Release of Non-State Debts Prohibited.** The General Assembly shall have no power to release or extinguish, in whole or in part, the indebtedness, liability, or obligation of any corporation or individual to this State or to any municipal corporation therein.

§ 24. **Impeachment.** The House of Representatives shall have the sole power of impeachment; but a majority of all the members elected must concur therein. All impeachments shall be tried by the Senate; and when sitting for that purpose, the Senators shall be upon oath, or affirmation, to do justice according to law and evidence. When the Governor of the State is tried, the Chief Justice shall preside. No person shall be convicted without the concurrence of two-thirds of the Senators elected. But judgment, in such cases, shall not extend further than removal from office, and disqualification to hold any office of honor, profit or trust under the government of this State. The

party, whether convicted or acquitted, shall, nevertheless, be liable to prosecution, trial, judgment and punishment according to law.

§ 25. **State Contracts.** The General Assembly shall provide, by law, that the fuel, stationery, and printing paper furnished for the use of the State; the copying, printing, binding and distributing the laws and journals, and all other printing ordered by the General Assembly, shall be let by contract to the lowest responsible bidder; but the General Assembly shall fix a maximum price; and no member thereof, or other officer of the State, shall be interested, directly or indirectly, in such contract. But all such contracts shall be subject to the approval of the Governor, and if he disapproves the same there shall be a re-letting of the contract, in such manner as shall be prescribed by law.

§ 26. **Suit Against State Prohibited.** The State of Illinois shall never be made defendant in any court of law or equity.

§ 27. **Lotteries Prohibited.** The General Assembly shall have no power to authorize lotteries or gift enterprises, for any purpose, and shall pass laws to prohibit the sale of lottery or gift enterprise tickets in this State.

§ 28. **Extension of Term of Office Prohibited.** No law shall be passed which shall operate to extend the term of any public officer after his election or appointment.

§ 29. **Protection of Miners.** It shall be the duty of the General Assembly to pass such laws as may be necessary for the protection of operative miners, by providing for ventilation, where the same may be required, and the construction of escapement shafts, or such other appliances as may secure safety in all coal mines, and to provide for the enforcement of said laws by such penalties and punishments, as may be deemed proper.

§ 30. **Establishing Roads and Cartways.** The General Assembly may provide for establishing and opening roads and cartways, connected with a public road, for private and public use.

§ 31. **Drains and Ditches.**¹ The General Assembly may pass laws permitting the owners of lands to construct drains, ditches and levees for agricultural, sanitary or mining purposes, across the lands of others, and provide for the organization of drainage districts, and vest the corporate authorities thereof, with power to construct and maintain levees, drains and ditches, and to keep in repair all drains, ditches and levees heretofore constructed under the laws of this State, by special assessments upon the property benefited thereby.

§ 32. **Homestead and Exemption Laws.** The General Assembly shall pass liberal Homestead and Exemption laws.

§ 33. **State House Expenditures.** The General Assembly shall not appropriate out of the State treasury, or expend on account of the new capitol grounds, and construction, completion, and furnishing of the State House, a sum exceeding, in the aggregate, three and a half millions of dollars, inclusive of all appropriations heretofore made, without first submitting the proposition for

¹ As modified by the first amendment to the Constitution of 1870. The joint resolution (Laws 1877, p. 218) was adopted by the Senate March 15, 1877, and concurred in by the House March 20, 1877. It was adopted by the vote of the people November 5, 1878, and proclaimed ratified November 29, 1878.

an additional expenditure to the legal voters of the State, at a general election; nor unless a majority of all the votes cast at such election shall be for the proposed additional expenditure.

§ 34. **Special Laws for City of Chicago.**¹ The General Assembly shall have power, subject to the conditions and limitations hereinafter contained, to pass any law (local, special or general) providing a scheme or charter of local municipal government for the territory now or hereafter embraced within the limits of the city of Chicago. The law or laws so passed may provide for consolidating (in whole or in part) in the municipal government of the city of Chicago, the powers now vested in the city, board of education, township, park and other local governments and authorities having jurisdiction confined to or within said territory, or any part thereof, and for the assumption by the city of Chicago of the debts and liabilities (in whole or in part) of the governments or corporate authorities whose functions within its territory shall be vested in said city of Chicago, and may authorize said city, in the event of its becoming liable for the indebtedness of two or more of the existing municipal corporations lying wholly within said city of Chicago, to become indebted to an amount (including its existing indebtedness and the indebtedness of all municipal corporations lying wholly within the limits of said city, and said city's proportionate share of the indebtedness of said county and sanitary district which share shall be determined in such manner as the General Assembly shall prescribe) in the aggregate not exceeding five per centum of the full value of the taxable property within its limits, as ascertained by the last assessment either for State or municipal purposes previous to the incurring of such indebtedness (but no new bonded indebtedness, other than for refunding purposes, shall be incurred until the proposition therefor shall be consented to by a majority of the legal voters of said city voting on the question at any election, general, municipal or special); and may provide for the assessment of property and the levy and collection of taxes within said city for corporate purposes in accordance with the principles of equality and uniformity prescribed by this Constitution; and may abolish all offices, the functions of which shall be otherwise provided for; and may provide for the annexation of territory to or disconnection of territory from said city of Chicago by the consent of a majority of the legal voters (voting on the question at any election, general, municipal or special) of the said city and of a majority of the voters of such territory, voting on the question at any election, general, municipal or special; and in case the General Assembly shall create municipal courts in the city of Chicago it may abolish the offices of justices of the peace, police magistrates and constables in and for the territory within said city, and may limit the jurisdiction of justices of the peace in the territory of said county of Cook outside of said city to that territory, and in such case the jurisdiction and practice of said municipal courts shall be such as the General Assembly shall

¹ Added by the sixth amendment to the Constitution of 1870. The joint resolution (Laws 1903, p. 358) was adopted by the House and concurred in by the Senate April 22, 1903. It was adopted by the vote of the people November 3, 1904, and proclaimed ratified December 5, 1904.

prescribe; and the General Assembly may pass all laws which it may deem requisite to effectually provide a complete system of local municipal government in and for the city of Chicago.

No law based upon this amendment to the Constitution, affecting the municipal government of the city of Chicago, shall take effect until such law shall be consented to by a majority of the legal voters of said city voting on the question at any election, general, municipal or special; and no local or special law based upon this amendment affecting specially any part of the city of Chicago shall take effect until consented to by a majority of the legal voters of such part of said city voting on the question at any election, general, municipal or special. Nothing in this section contained shall be construed to repeal, amend or affect section four (4) of Article XI of the Constitution of this State.

ARTICLE V

EXECUTIVE DEPARTMENT

§ 1. **Officers — Terms.**¹ The executive departments shall consist of a governor, lieutenant governor, secretary of state, auditor of public accounts, treasurer, superintendent of public instruction and attorney general, who shall each hold his office for the term of four years from the second Monday of January next after his election and until his successor is elected and qualified. They shall, except the lieutenant governor, reside at the seat of government during their term of office, and keep the public records, books and papers there, and shall perform such duties as may be prescribed by law.

§ 2. **Treasurer.** The treasurer shall hold his office for the term of four years, and until his successor is elected and qualified, and shall be ineligible to said office for four years next after the end of the term for which he was elected. He may be required by the governor to give reasonable additional security, and in default of so doing his office shall be deemed vacant.

§ 3. **Election and Term Office.** An election for governor, lieutenant governor, secretary of state, auditor of public accounts, and attorney general, shall be held on the Tuesday next after the first Monday of November, in the year of our Lord 1872, and every four years thereafter; for superintendent of public instruction, and treasurer, on the Tuesday next after the first Monday of November, in the year 1958, and every four years thereafter at such places and in such manner as may be prescribed by law.

§ 4. **Canvass of Election Returns — Contests.** The returns of every election for the above named officers shall be sealed up and transmitted, by the returning officers, to the Secretary of State, directed to "The Speaker of the House of Representatives," who shall, immediately after the organization of the House, and before proceeding to other business, open and publish the same in the presence of a majority of each House of the General Assembly, who shall,

¹ As modified by the twelfth amendment to the Constitution of 1870. The joint resolution was adopted by the House April 14, 1953, and concurred in by the Senate April 29, 1953, and proclaimed adopted November 19, 1954.

for that purpose, assemble in the hall of the House of Representatives. The person having the highest number of votes for either of said offices shall be declared duly elected; but if two or more have an equal, and the highest, number of votes, the General Assembly shall, by joint ballot, choose one of such persons for said office. Contested elections for all of said offices shall be determined by both houses of the General Assembly, by joint ballot, in such manner as may be prescribed by law.

§ 5. **Elective State Officers — Eligibility.** No person shall be eligible to the office of Governor, or Lieutenant Governor, who shall not have attained the age of 30 years, and been, for five years next preceding his election, a citizen of the United States and of this State. Neither the Governor, Lieutenant Governor, Auditor of Public Accounts, Secretary of State, Superintendent of Public Instruction nor Attorney General shall be eligible to any other office during the period for which he shall have been elected.

§ 6. **Governor — Supreme Executive Power.** The Supreme executive power shall be vested in the Governor, who shall take care that the laws be faithfully executed.

§ 7. **Governor — Powers and Duties.** The Governor shall, at the commencement of each session, and at the close of his term of office, give to the General Assembly information, by message, of the condition of the State, and shall recommend such measures as he shall deem expedient. He shall account to the General Assembly, and accompany his message with a statement of all moneys received and paid out by him from any funds subject to his order, with vouchers, and, at the commencement of each regular session present estimates of the amount of money required to be raised by taxation for all purposes.

§ 8. **Special Sessions.** The Governor may, on extraordinary occasions, convene the General Assembly, by proclamation, stating therein the purpose for which they are convened; and the General Assembly shall enter upon no business except that for which they were called together.

§ 9. **Adjournment of Houses in Case of Disagreement.** In case of a disagreement between the two houses with respect to the time of adjournment, the Governor may, on the same being certified to him by the house first moving the adjournment, adjourn the General Assembly to such time as he thinks proper, not beyond the first day of the next regular session.

§ 10. **Appointments.** The Governor shall nominate and, by and with the advice and consent of the Senate, (a majority of all the Senators elected concurring, by yeas and nays), appoint all officers whose offices are established by this constitution, or which may be created by law, and whose appointment or election is not otherwise provided for; and no such officer shall be appointed or elected by the General Assembly.

§ 11. **Vacancies — Temporary Appointments.** In case of a vacancy, during the recess of the Senate, in any office which is not elective, the Governor shall make a temporary appointment until the next meeting of the Senate, when he shall nominate some person to fill such office; and any person so nominated, who is confirmed by the Senate (a majority of all the Senators elected con-

curing by yeas and nays), shall hold his office during the remainder of the term, and until his successor shall be appointed and qualified. No person, after being rejected by the Senate, shall be again nominated for the same office at the same session, unless at the request of the Senate, or be appointed to the same office during the recess of the General Assembly.

§ 12. **Removal from Office by Governor.** The Governor shall have power to remove any officer whom he may appoint, in case of incompetency, neglect of duty, or malfeasance in office; and he may declare his office vacant, and fill the same as is herein provided in other cases of vacancy.

§ 13. **Pardons.** The Governor shall have power to grant reprieves, commutations and pardons, after conviction, for all offenses, subject to such regulations as may be provided by law relative to the manner of applying therefor.

§ 14. **Governor — Commander in Chief of Militia.** The Governor shall be commander-in-chief of the military and naval forces of the State (except when they shall be called into the service of the United States); and may call out the same to execute the laws, suppress insurrection, and repel invasion.

§ 15. **Impeachment of Officers.** The Governor, and all civil officers of this State, shall be liable to impeachment for any misdemeanor in office.

§ 16. **Approval or Veto of Bills.**¹ Every bill passed by the General Assembly shall, before it becomes a law, be presented to the Governor. If he approve, he shall sign it, and thereupon it shall become a law; but if he do not approve, he shall return it with his objections, to the House in which it shall have originated, which house shall enter the objections at large upon its journal and proceed to reconsider the bill. If then two-thirds of the members elected agree to pass the same, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and if approved by two-thirds of the members elected to that house, it shall become a law notwithstanding the objections of the Governor; but in all such cases the vote of each house shall be determined by yeas and nays to be entered upon the journal.

Bills making appropriations of money out of the Treasury shall specify the objects and purposes for which the same are made, and appropriate to them respectively their several amounts in distinct items and sections, and if the Governor shall not approve any one or more of the items or sections contained in any bill, but shall approve the residue thereof, it shall become a law as to the residue in like manner as if he had signed it. The Governor shall then return the bill, with his objections to the items or sections of the same not approved by him, to the house in which the bill shall have originated, which house shall enter the objections at large upon its journal, and proceed to reconsider so much of said bill as is not approved by the Governor. The same proceedings shall be had in both houses in reconsidering the same as is

¹ As modified by the third amendment to the Constitution of 1870. The joint resolution (L. 1883, p. 186) was adopted by the Senate February 28, 1883, concurred in by the House May 23, 1883, and adopted by the vote of the people November 4, 1884, and proclaimed adopted November 28, 1884.

hereinbefore provided in case of an entire bill returned by [by] the Governor with his objections; and if any item or section of said bill not approved by the Governor shall be passed by two-thirds of the members elected to each of the two houses of the General Assembly, it shall become part of said law notwithstanding the objections of the Governor. Any bill which shall not be returned by the Governor within ten days (Sundays excepted) after it shall have been presented to him shall become a law in like manner as if he had signed it, unless the General Assembly shall, by their adjournment prevent its return, in which case it shall be filed with his objections, in the office of the Secretary of State, within ten days after such adjournment, or become a law.

§ 17. **Lieutenant Governor as Acting Governor.** In case of the death, conviction on impeachment, failure to qualify, resignation, absence from the State, or other disability of the Governor, the powers, duties and emoluments of the office for the residue of the term, or until the disability shall be removed, shall devolve upon the Lieutenant Governor.

§ 18. **President of The Senate.** The Lieutenant Governor shall be President of the Senate, and shall vote only when the Senate is equally divided. The Senate shall choose a President, *pro tempore*, to preside in case of the absence or impeachment of the Lieutenant Governor, or when he shall hold the office of Governor.

§ 19. **Acting Governor — Successions.** If there be no Lieutenant Governor, or if the Lieutenant Governor shall, for any of the causes specified in section seventeen, of this article, become incapable of performing the duties of the office, the President of the Senate shall act as Governor until the vacancy is filled or the disability removed; and if the President of the Senate, for any of the above named causes, shall become incapable of performing the duties of Governor, the same shall devolve upon the Speaker of the House of Representatives.

§ 20. **Financial Report of State Officers — Vacancies.** If the office of Auditor of Public Accounts, Treasurer, Secretary of State, Attorney General, or Superintendent of Public Instruction shall be vacated by death, resignation or otherwise, it shall be the duty of the Governor to fill the same by appointment, and the appointee shall hold his office until his successors shall be elected and qualified in such manner as may be provided by law. An account shall be kept by the officers of the Executive Department, and of all the public institutions of the State, of all moneys received or disbursed by them, severally, from all sources, and for every service performed, and a semi-annual report thereof be made to the Governor, under oath; and any officer who makes a false report shall be guilty of perjury, and punished accordingly.

§ 21. **Report of State Officers — Departments — Judges.** The officers of the Executive Department, and of all the public institutions of the State, shall, at least ten days preceding each regular session of the General Assembly, severally report to the Governor, who shall transmit such reports to the General Assembly, together with the reports of the Judges of the Supreme Court of defects in the Constitution and laws; and the Governor may at any time require

information, in writing, under oath, from the officers of the Executive Department, and all officers and managers of State institutions, upon any subject relating to the condition, management and expenses of their respective offices.

§ 22. **State Seal.** There shall be a seal of the State, which shall be called the "Great Seal of the State of Illinois," which shall be kept by the Secretary of State, and used by him, officially, as directed by law.

§ 23. **Fees and Salaries.** The officers named in this article shall receive for their services a salary, to be established by law, which shall not be increased or diminished during their official terms, and they shall not, after the expiration of the terms of those in office at the adoption of this constitution, receive to their own use any fees, costs, perquisites of office or other compensation. And all fees that may hereafter be payable by law for any services performed by any officer provided for in this article of the Constitution, shall be paid in advance into the State treasury.

§ 24. **Definition of "Office."** An office is a public position created by the constitution or law, continuing during the pleasure of the appointing power, or for a fixed time, with a successor elected or appointed. An employment is an agency, for a temporary purpose, which ceases when that purpose is accomplished.

§ 25. **Oath of Office.** All civil officers, except members of the General Assembly and such inferior officers as may be by law exempted, shall, before they enter on the duties of their respective offices, take and subscribe the following oath or affirmation:

"I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States, and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of according to the best of my ability."

And no other oath, declaration or test shall be required as a qualification.

ARTICLE VI

JUDICIAL DEPARTMENT

§ 1. **Judicial Power — Where Vested.** The judicial powers, except as in this article is otherwise provided, shall be vested in one Supreme Court, Circuit Courts, County Courts, justices of the peace, police magistrates, and in such courts as may be created by law in and for cities and incorporated towns.

§ 2. **Supreme Court — Jurisdiction.** The Supreme Court shall consist of seven judges, and shall have original jurisdiction in cases relating to the revenue, in *mandamus*, and *habeas corpus*, and appellate jurisdiction in all other cases. One of said judges shall be chief justice; four shall constitute a quorum, and the concurrence of four shall be necessary to every decision.

§ 3. **Eligibility — Judges of Supreme Court.** No person shall be eligible to the office of judge of the Supreme Court unless he shall be at least thirty years of age, and a citizen of the United States, nor unless he shall have resided in

this State five years next preceding his election, and be a resident of the district in which he shall be elected.

§ 4. **Divisions of the Court — Terms.** Terms of the Supreme Court shall continue to be held in the present grand divisions at the several places now provided for holding the same; and until otherwise provided by law, one or more terms of said court shall be held, for the Northern Division, in the City of Chicago, each year, at such times as said court may appoint, whenever said city or the county of Cook shall provide appropriate rooms therefor, and the use of a suitable library, without expense to the State. The judicial divisions may be altered, increased or diminished in number, and the times and places of holding said court may be changed by law.

§ 5. **Grand Divisions — Districts.** The present grand divisions shall be preserved, and be denominated Southern, Central and Northern, until otherwise provided by law. The State shall be divided into seven districts for the election of judges, and until otherwise provided by law, they shall be as follows:

First District — The counties of St. Clair, Clinton, Washington, Jefferson, Wayne, Edwards, Wabash, White, Hamilton, Franklin, Perry, Randolph, Monroe, Jackson, Williamson, Saline, Gallatin, Hardin, Pope, Union, Johnson, Alexander, Pulaski and Massac.

Second District — The counties of Madison, Bond, Marion, Clay, Richland, Lawrence, Crawford, Jasper, Effingham, Fayette, Montgomery, Macoupin, Shelby, Cumberland, Clark, Greene, Jersey, Calhoun and Christian.

Third District — The counties of Sangamon, Macon, Logan, DeWitt, Piatt, Douglas, Champaign, Vermilion, McLean, Livingston, Ford, Iroquois, Coles, Edgar, Moultrie and Tazewell.

Fourth District — The counties of Fulton, McDonough, Hancock, Schuyler, Brown, Adams, Pike, Mason, Menard, Morgan, Cass and Scott.

Fifth District — The counties of Knox, Warren, Henderson, Mercer, Henry, Stark, Peoria, Marshall, Putnam, Bureau, LaSalle, Grundy and Woodford.

Sixth District — The counties of Whiteside, Carroll, JoDaviess, Stephenson, Winnebago, Boone, McHenry, Kane, Kendall, DeKalb, Lee, Ogle and Rock Island.

Seventh District — The counties of Lake, Cook, Will, Kankakee and DuPage.

The boundaries of the districts may be changed at the session of the General Assembly next preceding the election for judges therein, and at no other time; but whenever such alterations shall be made, the same shall be upon the rule of equality of population, as nearly as county boundaries will allow, and the districts shall be composed of contiguous counties, in as nearly compact form as circumstances will permit. The alteration of the districts shall not affect the tenure of office of any judge.

§ 6. **Election — Term of Office — Chief Justice.** At the time of voting on the adoption of this Constitution, one judge of the Supreme Court shall be elected by the electors thereof, in each of said districts numbered two, three, six, and seven, who shall hold his office for the term of nine years from the first Mon-

day of June, in the year of our Lord one thousand eight hundred and seventy. The term of office of judges of the Supreme Court, elected after the adoption of this Constitution, shall be nine years; and on the first Monday of June of the year in which the term of any of the judges in office at the adoption of this Constitution, or of the judges then elected, shall expire, and every nine years thereafter, there shall be an election for the successor or successors of such judges, in the respective districts wherein the term of such judges shall expire. The Chief Justice shall continue to act as such until the expiration of the term for which he was elected, after which the Judges shall choose one of their number Chief Justice.

§ 7. **Salaries.** From and after the adoption of this Constitution, the judges of the Supreme Court shall each receive a salary of four thousand dollars per annum, payable quarterly, until otherwise provided by law. And after said salaries shall be fixed by law, the salaries of the judges in office shall not be increased or diminished during the terms for which said judges shall have been elected.

§ 8. **Appeals and Writs of Error.** Appeals and writs of error may be taken to the Supreme Court, held in the grand division in which the case is decided, or, by consent of the parties, to any other grand division.

§ 9. **Reporter.** The Supreme Court shall appoint one reporter of its decisions, who shall hold his office for six years, subject to removal by the Court.

§ 10. **Clerk.** At the time of the election for representatives in the General Assembly, happening next preceding the expiration of the terms of office of the present clerks of said court, one clerk of said court for each division shall be elected, whose terms of office shall be six years from said election, but who shall not enter upon the duties of his office until the expiration of the term of his predecessor, and every six years thereafter, one clerk of said court for each division shall be elected.

§ 11. **Appellate Courts.** After the year of our Lord one thousand eight hundred and seventy-four inferior Appellate Courts, of uniform organization and jurisdiction, may be created in districts formed for that purpose, to which such appeals and writs of error as the General Assembly may provide, may be prosecuted from Circuit and other courts, and from which appeals and writs of error shall lie to the Supreme Court, in all criminal cases, and cases in which a franchise, or freehold, or the validity of a statute is involved, and in such other cases as may be provided by law. Such Appellate Courts shall be held by such number of Judges of the Circuit Courts, and at such times and places, and in such manner, as may be provided by law; but no Judge shall sit in review upon cases decided by him; nor shall said Judges receive any additional compensation for such services.

§ 12. **Circuit Courts.** The Circuit Courts shall have original jurisdiction of all causes in law and equity, and such appellate jurisdiction as is or may be provided by law, and shall hold two or more terms each year in every county. The terms of office of Judges of Circuit Courts shall be six years.

§ 13. **Judicial Circuits.** The State, exclusive of the county of Cook and other

counties having a population of one hundred thousand, shall be divided into judicial circuits, prior to the expiration of the terms of office of the present judges of the Circuit Courts. Such circuits shall be formed of contiguous counties in as nearly compact form and as nearly equal as circumstances will permit, having due regard to business, territory and population, and shall not exceed in number one circuit for every one hundred thousand of population in the State. One judge shall be elected for each of said circuits by the electors thereof. New circuits may be formed and the boundaries of circuits changed by the General Assembly, at its session next preceding the election for circuit judges, but at no other time: *Provided*, that the circuits may be equalized or changed at the first session of the General Assembly, after the adoption of this Constitution. The creation, alteration or change of any circuit shall not affect the tenure of office of any judge. Whenever the business of the Circuit Court of any one, or of two or more contiguous counties containing a population exceeding fifty thousand, shall occupy nine months of the year, the General Assembly may make of such county, or counties, a separate circuit. Whenever additional circuits are created, the foregoing limitations shall be observed.

§ 14. **Time of Holding Circuit Court — Election of Judges.** The General Assembly shall provide for the times of holding court in each county; which shall not be changed, except by the General Assembly next preceding the general election for judges of said courts; but additional terms may be provided for in any county. The election for judges of the Circuit Courts shall be held on the first Monday in June, in the year of our Lord one thousand eight hundred and seventy-three, and every six years thereafter.

§ 15. **Larger Circuits Authorized.** The General Assembly may divide the State into judicial circuits of greater population and territory, in lieu of the circuits provided for in section thirteen of this article, and provide for the election therein, severally, by the electors thereof, by general ticket, of not exceeding four judges, who shall hold the circuit courts in the circuit for which they shall be elected, in such manner as may be provided by law.

§ 16. **Salaries.** From and after the adoption of this Constitution, Judges of the Circuit Courts shall receive a salary of three thousand dollars per annum, payable quarterly until otherwise provided by law. And after their salaries shall be fixed by law, they shall not be increased or diminished during the terms for which said judges shall be, respectively, elected, and from and after the adoption of this Constitution, no judge of the Supreme or Circuit Court shall receive any other compensation, perquisite or benefit, in any form whatsoever, nor perform any other than judicial duties to which may belong any emoluments.

§ 17. **Judges of Circuit and Inferior Courts — Eligibility.** No person shall be eligible to the office of Judge of the circuit or any inferior court, or to membership in the "Board of County Commissioners," unless he shall be at least twenty-five years of age, and a citizen of the United States, nor unless he shall have resided in this State five years next preceding his election, and be a resi-

dent of the circuit, county, city, cities, or incorporated town in which he shall be elected.

§ 18. **County Courts.** There shall be elected in and for each county, one county judge and one clerk of the county court, whose terms of office shall be four years. But the General Assembly may create districts of two or more contiguous counties, in each of which shall be elected one judge, who shall take the place of, and exercise the powers and jurisdiction of county judges in such districts. County Courts shall be courts of record, and shall have original jurisdiction in all matters of probate; settlement of estates of deceased persons; appointment of guardians and conservators, and settlements of their accounts; in all matters relating to apprentices; and in proceedings for the collection of taxes and assessments, and such other jurisdiction as may be provided for by general law.

§ 19. **Appeals and Writs of Error from County Courts.** Appeals and writs of error shall be allowed from final determinations of county courts, as may be provided by law.

§ 20. **Probate Courts.** The General Assembly may provide for the establishment of a Probate Court in each county having a population of over fifty thousand, and for the election of a judge thereof, whose term of office shall be the same as that of the county judge, and who shall be elected at the same time and in the same manner. Said courts, when established, shall have original jurisdiction of all probate matters, the settlement of estates of deceased persons, the appointment of guardians and conservators, and settlements of their accounts; in all matters relating to apprentices, and in cases of the sales of real estate of deceased persons for the payment of debts.

§ 21. **Justices of Peace — Police Magistrates — Constables.** Justices of the peace, police magistrates, and constables shall be elected in and for such districts as are, or may be, provided by law, and the jurisdiction of such justices of the peace and police magistrates shall be uniform.

§ 22. **State's Attorneys.** At the election for members of the General Assembly in the year of our Lord one thousand eight hundred and seventy-two, and every four years thereafter, there shall be elected a State's Attorney in and for each county, in lieu of the State's Attorneys now provided by law, whose term of office shall be four years.

§ 23. **Courts of Cook County.** The county of Cook shall be one judicial circuit. The Circuit Court of Cook county shall consist of five judges, until their number shall be increased, as herein provided. The present Judge of the Recorder's Court of the city of Chicago, and the present Judge of the Circuit Court of Cook county, shall be two of said judges, and shall remain in office for the terms for which they were respectively elected and until their successors shall be elected and qualified. The Superior Court of Chicago shall be continued, and called the Superior Court of Cook County. The General Assembly may increase the number of said judges, by adding one to either of said courts for every additional fifty thousand inhabitants in said county, over and above a

population of four hundred thousand. The terms of office of the judges of said courts hereafter elected, shall be six years.

§ 24. **Chief Justice — Power of Judges.** The judge having the shortest unexpired term shall be Chief Justice of the court of which he is a judge. In case there are two or more whose terms expire at the same time, it may be determined by lot which shall be chief justice. Any judge of either of said courts shall have all the powers of a circuit judge, and may hold the court of which he is a member. Each of them may hold a different branch thereof at the same time.

§ 25. **Salaries fo Judges and State's Attorneys.** The judges of the Superior and Circuit Courts, and the State's Attorney, in said county, shall receive the same salaries, payable out of the State treasury, as is or may be paid from said treasury to the circuit judges and State's Attorneys of the State, and such further compensation, to be paid by the county of Cook, as is or may be provided by law; such compensation shall not be changed during their continuance in office.

§ 26. **Criminal Court of Cook County.** The Recorder's Court of the city of Chicago shall be continued, and shall be called the "Criminal Court of Cook County." It shall have the jurisdiction of a circuit court, in all cases of criminal and *quasi* criminal nature, arising in the county of Cook, or that may be brought before said court pursuant to law; and all recognizances and appeals taken in said county, in criminal and *quasi* criminal cases shall be returnable and taken to said court. It shall have no jurisdiction in civil cases, except in those on behalf of the people, and incident to such criminal or *quasi* criminal matters, and to dispose of unfinished business. The terms of said Criminal Court of Cook County shall be held by one or more of the judges of the Circuit or Superior Court of Cook county, as nearly as may be in alternation, as may be determined by said judges, or provided by law. Said judges shall be *ex-officio* judges of said court.

§ 27. **Clerks of Cook County Courts.** The present Clerk of the Recorder's Court of the city of Chicago, shall be the clerk of the Criminal Court of Cook county, during the term for which he was elected. The present Clerks of the Superior Court of Chicago, and the present clerk of the Circuit Court of Cook County, shall continue in office during the terms for which they were respectively elected; and thereafter there shall be but one Clerk of the Superior Court, to be elected by the qualified electors of said county, who shall hold his office for the term of four years, and until his successor is elected and qualified.

§ 28. **Justices of the Peace in Chicago.** All justices of the peace in the city of Chicago shall be appointed by the Governor, by and with the advice and consent of the Senate, (but only upon recommendation of a majority of the judges of the circuit, superior and county courts), and for such districts as are now or shall hereafter be provided by law. They shall hold their offices for four years, and until their successors have been commissioned and qualified, but they may be removed by summary proceeding in the circuit or superior

court, for extortion or other malfeasance. Existing justices of the peace and police magistrates may hold their offices until the expiration of their respective terms.

§ 29. **Courts — Uniformity of Practice and Procedure.** All judicial officers shall be commissioned by the Governor. All laws relating to courts shall be general, and of uniform operation; and the organization, jurisdiction, powers, proceedings and practice of all courts, of the same class or grade, so far as regulated by law, and the force and effect of the process, judgments and decrees of such courts, severally, shall be uniform.

§ 30. **Removal of Judicial Officers.** The General Assembly may, for cause entered on the journals, upon due notice and opportunity of defense, remove from office any judge, upon concurrence of three-fourths of all the members elected, of each house. All other officers in this article mentioned, shall be removed from office on prosecution and final conviction, for misdemeanor in office.

§ 31. **Report from Judges.** All judges of courts of record, inferior to the Supreme Court, shall, on or before the first day of June, of each year, report in writing to the judges of the Supreme Court, such defects and omissions in the laws as their experience may suggest; and the judges of the Supreme Court shall, on or before the first day of January, of each year, report in writing to the Governor such defects and omissions in the Constitution and laws as they may find to exist, together with appropriate forms of bills to cure such defects and omissions in the laws. And the judges of the several circuit courts shall report to the next General Assembly the number of days they have held court, in the several counties composing their respective circuits, the preceding two years.

§ 32. **Term of Office — Vacancies.** All officers provided for in this article shall hold their offices until their successors shall be qualified, and they shall, respectively, reside in the division, circuit, county or district for which they may be elected or appointed. The terms of office of all such officers, where not otherwise prescribed in this article, shall be four years. All officers, where not otherwise provided for in this article, shall perform such duties and receive such compensation as is, or may be, provided by law. Vacancies in such elective offices shall be filled by election; but where the unexpired term does not exceed one year, the vacancy shall be filled by appointment, as follows: Of judges, by the Governor; of clerks of courts, by the court to which the office appertains, or by the judge or judges thereof; and of all such other offices, by the board of supervisors, or board of county commissioners, in the county where the vacancy occurs.

§ 33. **Process — Caption — Authority — Conclusion.** All process shall run; *In the name of the People of the State of Illinois*; and all prosecutions shall be carried on; *In the name and by the authority of the People of the State of Illinois*; and conclude; *Against the peace and dignity of the same*. "Population," wherever used in this article, shall be determined by the next preceding census of this State, or of the United States.

ARTICLE VII

SUFFRAGE¹

§ 1. **Qualifications for Voting.** Every person having resided in this State one year, in the county ninety days, and in the election district thirty days next preceding any election therein, who was an elector in this State on the first day of April, in the year of our Lord one thousand eight hundred and forty-eight, or obtained a certificate of naturalization, before any court of record in this State, prior to the first day of January, in the year of our Lord one thousand eight hundred and seventy, or who shall be a male citizen of the United States, above the age of twenty-one years, shall be entitled to vote at such election.²

§ 2. **Ballots Required.** All votes shall be by ballot.

§ 3. **Freedom from Arrest — Military Duty.** Electors shall, in all cases except treason, felony, or breach of the peace, be privileged from arrest during their attendance at elections, and in going to and returning from the same. And no elector shall be obliged to do military duty on the days of election, except in time of war or public danger.

§ 4. **Losing Voting Residence.** No elector shall be deemed to have lost his residence in this State by reason of his absence on the business of the United States, or of this State, or in the military or naval service of the United States.

§ 5. **Military Service — Residence.** No soldier, seaman or marine in the army or navy of the United States, shall be deemed a resident of this State in consequence of being stationed therein.

§ 6. **Qualifications for Civil or Military Office.** No person shall be elected or appointed to any office in this State, civil or military, who is not a citizen of the United States, and who shall not have resided in this State one year next preceding the election or appointment.

§ 7. **Infamous Crime — Loss of Franchise.** The General Assembly shall pass laws excluding from the right of suffrage persons convicted of infamous crimes.

ARTICLE VIII

EDUCATION

§ 1. **Free Schools.** The General Assembly shall provide a thorough and efficient system of free schools, whereby all children of this State may receive a good common school education.

§ 2. **School Property and Funds.** All lands, moneys, or other property, donated, granted or received for school, college, seminary or university purposes, and the proceeds thereof, shall be faithfully applied to the objects for which such gifts or grants were made.

¹ This article is practically the same as the corresponding article in the Constitution of 1848 except the first section, which in the earlier Constitution restricted the suffrage to white male citizens above the age of 21 years who had resided in the State one year.

² Since the adoption of Article XIX of the Constitution of the United States, women are entitled to vote the same as men.

§ 3. **Public Funds for Sectarian Purposes Forbidden.** Neither the General Assembly nor any county, city, town, township, school district, or other public corporation, shall ever make any appropriation or pay from any public fund whatever, anything in aid of any church or sectarian purpose, or to help support or sustain any school, academy, seminary, college, university, or other literary or scientific institution, controlled by any church or sectarian denomination whatever; nor shall any grant or donation of land, money, or other personal property ever be made by the State, or any such public corporation, to any church, or for any sectarian purpose.

§ 4. **School Officers Not to be Interested in School Contracts.** No teacher, State, county, township, or district school officer shall be interested in the sale, proceeds or profits of any book, apparatus or furniture, used or to be used, in any school in this State, with which such officer or teacher may be connected, under such penalties as may be provided by the General Assembly.

§ 5. **County Superintendent of Schools.** There may be a County Superintendent of Schools in each county whose qualifications, powers, duties, compensation, and time and manner of election, and term of office, shall be prescribed by law.

ARTICLE IX

REVENUE

§ 1. **Taxation of Property — Occupations — Privileges.** The General Assembly shall provide such revenue as may be needful, by levying a tax, by valuation, so that every person and corporation shall pay a tax in proportion to the value of his, her, or its property — such value to be ascertained by some person or persons, to be elected or appointed in such manner as the General Assembly shall direct, and not otherwise; but the General Assembly shall have power to tax peddlers, auctioneers, brokers, hawkers, merchants, commission merchants, showmen, jugglers, inn-keepers, grocery-keepers, liquor-dealers, toll bridges, ferries, insurance, telegraph and express interests or business, vendors of patents, and persons or corporations owning or using franchises and privileges, in such manner as it shall, from time to time, direct by general law, uniform as to the class upon which it operates.

§ 2. **Enlarging Tax Base.** The specification of the objects and subjects of taxation shall not deprive the General Assembly of the power to require other subjects or objects to be taxed, in such manner as may be consistent with the principles of taxation fixed in this Constitution.

§ 3. **Tax Exemptions.** The property of the State, counties, and other municipal corporations, both real and personal, and such other property, as may be used exclusively for agricultural and horticultural societies, for school, religious, cemetery and charitable purposes, may be exempted from taxation; but such exemption shall be only by general law. In the assessment of real estate incumbered by public easement, any depreciation occasioned by such easement may be deducted in the valuation of such property.

§ 4. **Sale of Real Property for Tax Delinquency.** The General Assembly shall provide, in all cases where it may be necessary to sell real estate for the non-payment of taxes or special assessments, for State, county, municipal, or other purposes, that a return of such unpaid taxes or assessments shall be made to some general officer, of the county, having authority to receive State and county taxes; and there shall be no sale of said property for any of said taxes or assessments but by said officer, upon the order or judgment of some court of record.

§ 5. **Redemption from Tax Sale.** The right of redemption from all sales of real estate, for the non-payment of taxes or special assessments of any character, whatever, shall exist in favor of owners and persons interested in such real estate, for a period of not less than two years from such sales thereof. And the General Assembly shall provide, by law, for reasonable notice to be given to the owners or parties interested, by publication or otherwise, of the fact of the sale of the property for such taxes or assessments, and when the time of redemption shall expire: *Provided*, that occupants shall in all cases be served with personal notice before the time of redemption expires.

§ 6. **Release from Taxation Forbidden.** The General Assembly shall have no power to release or discharge any county, city, township, town or district, whatever, or the inhabitants thereof, or the property therein, from their or its proportionate share of taxes to be levied for State purposes, nor shall commutation for such taxes be authorized in any form whatsoever.

§ 7. **State Taxes Paid Into State Treasury.** All taxes levied for State purposes shall be paid into the State treasury.

§ 8. **County Tax Limit.** County authorities shall never assess taxes, the aggregate of which shall exceed seventy-five cents per one hundred dollars' valuation, except for the payment of indebtedness existing at the adoption of this Constitution, unless authorized by a vote of the people of the county.

§ 9. **Local Municipal Improvements.** The General Assembly may vest the corporate authorities of cities, towns, and villages, with power to make local improvements by special assessment or by special taxation of contiguous property, or otherwise. For all other corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes; but such taxes shall be uniform, in respect to persons and property, within the jurisdiction of the body imposing the same.

§ 10. **Municipal Taxation.** The General Assembly shall not impose taxes upon municipal corporations, or the inhabitants or property thereof, for corporate purposes, but shall require that all the taxable property within the limits of municipal corporations shall be taxed for the payment of debts contracted under authority of law, such taxes to be uniform in respect to persons and property, within the jurisdiction of the body imposing the same. Private property shall not be liable to be taken or sold for the payment of the corporate debts of a municipal corporation.

§ 11. **Municipal Officers — Default — Compensation.** No person who is in default,

as collector or custodian of money or property belonging to a municipal corporation shall be eligible to any office in or under such corporation. The fees, salary or compensation of no municipal officer who is elected or appointed for a definite term of office, shall be increased or diminished during such term.

§ 12. **Limitation of Municipal Indebtedness — Debt Retirement.** No county, city, township, school district, or other municipal corporation, shall be allowed to become indebted in any manner or for any purpose, to an amount, including existing indebtedness, in the aggregate exceeding five per centum on the value of the taxable property therein, to be ascertained by the last assessment for state and county taxes, previous to the incurring of such indebtedness. Any county, city, school district, or other municipal corporation, incurring any indebtedness as aforesaid, shall before, or at the time of doing so, provide for the collection of a direct annual tax sufficient to pay the interest on such debt, as it falls due, and also to pay and discharge the principal thereof within twenty years from the time of contracting the same.

This section shall not be construed to prevent any county, city, township, school district, or other municipal corporation, from issuing their bonds in compliance with any vote of the people which may have been had prior to the adoption of this Constitution in pursuance of any law providing therefor.

§ 13. **World's Columbian Exposition.**¹ The corporate authorities of the city of Chicago are hereby authorized to issue interest-bearing bonds of said city to an amount not exceeding five million dollars, at a rate of interest not to exceed five per centum, the principal payable within thirty years from the date of their issue, and the proceeds thereof shall be paid to the treasurer of the World's Columbian Exposition, and used and disbursed by him under the direction and control of the directors in aid of the World's Columbian Exposition, to be held in the city of Chicago in pursuance of an act of Congress of the United States: *Provided*, that if, at the election for the adoption of this amendment to the constitution, a majority of the votes cast within the limits of the city of Chicago shall be against its adoption, then no bonds shall be issued under this amendment. And said corporate authorities shall be repaid as large a proportionate amount of the aid given by them as is repaid to the stockholders on the sums subscribed and paid by them, and the money so received shall be used in the redemption of the bonds issued as aforesaid: *Provided*, that said authorities may take, in whole or in part of the sum coming to them, any permanent improvements placed on land held or controlled by them: *And provided further*, that no such indebtedness so created shall in any part thereof be paid by the State, or from any State revenue, tax or fund, but the same shall be paid by the said city of Chicago alone.

¹ Added by the fifth amendment to the Constitution of 1870. The joint resolution (Laws 1890, page 8) was adopted by the Senate and concurred in by the House July 31, 1890, and ratified by the vote of the people November 4, 1890. At such election a majority of the votes cast within the limits of the city of Chicago were cast in favor of its adoption, and it was proclaimed ratified by the Governor November 29, 1890.

ARTICLE X COUNTIES

§ 1. **New Counties.** No new county shall be formed or established by the General Assembly, which will reduce the county or counties, or either of them, from which it shall be taken, to less contents than four hundred square miles; nor shall any county be formed of less contents; nor shall any line thereof pass within less than ten miles of any county seat of the county or counties proposed to be divided.

§ 2. **Division of Counties — Referendum.** No county shall be divided, or have any part stricken therefrom, without submitting the question to a vote of the people of the county, nor unless a majority of all the legal voters of the county, voting on the question, shall vote for the same.

§ 3. **Counties — Territory Added or Taken.** There shall be no territory stricken from any county, unless a majority of the voters living in such territory, shall petition for such division; and no territory shall be added to any county without the consent of the majority of the voters of the county to which it is proposed to be added. But the portion so stricken off and added to another county, or formed in whole or in part into a new county, shall be holden for, and obliged to pay its proportion of the indebtedness of the county from which it has been taken.

§ 4. **Removal of County Seats.** No county seat shall be removed until the point to which it is proposed to be removed shall be fixed in pursuance of law, and three-fifths of the voters of the county, to be ascertained in such manner as shall be provided by general law, shall have voted in favor of its removal to such point; and no person shall vote on such question who has not resided in the county six months, and in the election precinct ninety days next preceding such election. The question of the removal of a county seat shall not be oftener submitted than once in ten years, to a vote of the people. But when an attempt is made to remove a county seat to a point nearer to the center of the county, then a majority vote only shall be necessary.

§ 5. **Counties Under Township Organization.** The General Assembly shall provide, by general law, for township organization, under which any county may organize whenever a majority of the legal voters of such county, voting at any general election, shall so determine, and whenever any county shall adopt township organization, so much of this constitution as provides for the management of the fiscal concerns of the said county by the board county commissioners may be dispensed with, and the affairs of said county may be transacted in such manner as the General Assembly may provide. And in any county that shall have adopted a township organization, the question of continuing the same may be submitted to a vote of the electors of such county, at a general election, in the manner that now is or may be provided by law; and if a majority of all the votes cast upon that question shall be against township organization, then such organization shall cease in said county; and all laws in

force in relation to counties not having township organization, shall immediately take effect and be in force in such county. No two townships shall have the same name, and the day of holding the annual township meeting shall be uniform throughout the State.

§ 6. **Counties Not Under Township Organization.** At the first election of County Judges under this Constitution, there shall be elected in each of the counties in this State, not under township organization, three officers, who shall be styled "The Board of County Commissioners," who shall hold sessions for the transaction of county business as shall be provided by law. One of said commissioners shall hold his office for one year, one for two years and one for three years, to be determined by lot; and every year thereafter one such officer shall be elected in each of said counties for the term of three years.

§ 7. **Cook County Government.** The county affairs of Cook county shall be managed by a Board of Commissioners of fifteen persons, ten of whom shall be elected from the city of Chicago, and five from towns outside of said city, in such manner as may be provided by law.

§ 8. **County Officers — Term of Office.**¹ In each county there shall be elected the following County Officers at the general election to be held on the Tuesday after the first Monday in November A. D. 1882, a County Judge, County Clerk, Sheriff and Treasurer, and at the election to be held on the Tuesday after the first Monday in November A. D. 1884, a Coroner and Clerk of the Circuit Court (who may be *ex-officio* recorder of deeds, except in Counties having 60,000 and more inhabitants, in which Counties a Recorder of deeds shall be elected at the general election in 1884) each of said officers shall enter upon the duties of his office, respectively on the first Monday of December, after his election, and they shall hold their respective offices for the term of four years, and until their successors are elected and qualified. *Provided*, that no person having once been elected to the office of Sheriff or Treasurer shall be eligible to reelection to said office for four years after the expiration of the term for which he shall have been elected.

§ 9. **Salaries of Officers — Cook County.** The clerks of all the courts of record, the Treasurer, Sheriff, Coroner and Recorder of Deeds of Cook county, shall receive as their only compensation for their services, salaries to be fixed by law, which shall in no case be as much as the lawful compensation of a Judge of the Circuit Court of said county, and shall be paid, respectively, only out of the fees of the office actually collected. All fees, perquisites and emoluments (above the amount of said salaries) shall be paid into the county treasury. The number of the deputies and assistants of such officers shall be determined by rule of the Circuit Court, to be entered of record, and their compensation shall be determined by the County Board.

¹ As modified by the second amendment to the Constitution of 1870. The joint resolution was adopted by the Senate March 4, 1879, and concurred in by the House May 22, 1879. It was adopted by the people November 2, 1880, and proclaimed ratified November 22, 1880.

§ 10. **Salaries of Officers — Other Counties.**¹ The county board, except as provided in Section 9 of this article, shall fix the compensation of all county officers, with the amount of their necessary clerk hire, stationery, fuel and other expenses in such manner and subject to such limitations as may be prescribed by law, and in all cases where fees are provided for, said compensation shall be paid only out of, and shall in no instance exceed, the fees actually collected; Provided, that the compensation of no officer shall be increased or diminished during his term of office. All fees or allowances by them received, in excess of their said compensation, shall be paid into the County Treasury.

§ 11. **Fees of County and Township Officers.** The fees of township officers, and of each class of county officers, shall be uniform in the class of counties to which they respectively belong. The compensation herein provided for shall apply only to officers hereafter elected, but all fees established by special laws shall cease at the adoption of this Constitution, and such officers shall receive only such fees as are provided by general law.

§ 12. **Regulation of Fees by General Law.** All laws fixing the fees of State, County and Township officers shall terminate with the terms, respectively, of those who may be in office at the meeting of the first General Assembly after the adoption of this constitution; and the General Assembly shall, by general law, uniform in its operation, provided for and regulate the fees of said officers and their successors, so as to reduce the same to a reasonable compensation for services actually rendered. But the General Assembly may, by general law, classify the counties by population into not more than three classes, and regulate the fees according to class.

This article shall not be construed as depriving the General Assembly of the power to reduce the fees of existing officers.

§ 13. **Reports by Fee Officers.** Every person who is elected or appointed to any office in this State, who shall be paid in whole or in part by fees, shall be required by law to make a semi-annual report, under oath, to some officer to be designated by law, of all his fees and emoluments.

ARTICLE XI CORPORATIONS

§ 1. **Organization of Corporations.** No corporation shall be created by special laws, or its charter extended, changed, or amended, except those for charitable, educational, penal or reformatory purposes, which are to be and remain under the patronage and control of the State, but the General Assembly shall provide by general laws, for the organization of all corporations hereafter to be created.

¹ As modified by the ninth amendment to the Constitution of 1870. The joint resolution was adopted by the Senate June 6, 1951 and concurred in by the House June 19, 1951. It was adopted by the vote of the people November 4, 1952, and proclaimed adopted November 24, 1952.

§ 2. **Revocation of Certain Special Charters.** All existing charters or grants of special or exclusive privileges, under which organization shall not have taken place, or which shall not have been in operation within ten days from the time this constitution takes effect, shall thereafter have no validity or effect whatever.

§ 3. **Election of Directors.** The General Assembly shall provide, by law, that in all elections for Directors or managers of incorporated companies every stockholder shall have the right to vote, in person or by proxy, for the number of shares of stock owned by him, for as many persons as there are directors or managers to be elected, or to cumulate said shares, and give one candidate as many votes as the number of directors multiplied by the number of his shares of stock, shall equal, or to distribute them on the same principle among as many candidates as he shall think fit; and such directors or managers shall not be elected in any other manner.

§ 4. **Street Railroads.** No law shall be passed by the General Assembly, granting the right to construct and operate a street Railroad within any city, town, or incorporated village, without requiring the consent of the local authorities having the control of the street or highway proposed to be occupied by such street Railroad.

§ 5. **State Banks Forbidden — Bank Laws — Referendum.** No State Bank shall hereafter be created, nor shall the State own or be liable for any stock in any corporation or joint stock company or association for banking purposes, now created, or to be hereafter created. No act of the General Assembly authorizing or creating corporations or associations, with banking powers, whether of issue, deposit or discount, nor amendments thereto, shall go into effect or in any manner be in force, unless the same shall be submitted to a vote of the people at the general election next succeeding the passage of the same, and be approved by a majority of all the votes cast at such election for or against such law.

§ 6. **Liability of Bank Stockholders.**¹ No stockholder of a banking corporation or institution shall be individually responsible or liable to its creditors for the liabilities of such banking corporation or institution under any constitutional or statutory provisions heretofore creating or declaring such stockholder responsibility or liability, provided, however, that any rights of creditors existing at the date of the adoption hereof shall not be impaired hereby, provided that action to enforce such stockholder responsibility or liability with respect to any existing bank liability which is payable on demand or for which a cause of action has already accrued shall be commenced within one year from the date of the adoption hereof, and with respect to any other existing bank liability shall be commenced within one year from the time when the cause of action therefor first hereafter accrues against such banking corporation or

¹ As modified by the tenth amendment to the Constitution of 1870. The joint resolution was adopted by the House June 19, 1951 and concurred in by the Senate with Amendments June 27, 1951. House concurred in Senate Amendments June 27, 1951. It was adopted by the vote of the people November 4, 1952, and proclaimed adopted November 24, 1952.

institution, or could so accrue by demand. No law creating or declaring any such stockholder responsibility or liability shall be passed.

§ 7. **Specie Payment — Bank Reports.** The suspension of specie payments by banking institutions, on their circulation, created by the laws of this State, shall never be permitted or sanctioned. Every banking association now, or which may hereafter be, organized under the laws of this State, shall make and publish a full and accurate quarterly statement of its affairs, (which shall be certified to, under oath, by one or more of its officers) as may be provided by law.

§ 8. **Requirements of General Banking Law.** If a general banking law shall be enacted, it shall provide for the registry and countersigning, by an officer of State, of all bills or paper credit, designed to circulate as money, and require security, to the full amount thereof, to be deposited with the State Treasurer, in United States or Illinois State stocks, to be rated at ten per cent below their par value; and in case of a depreciation of said stocks to the amount of ten per cent below par, the bank or banks owning said stocks shall be required to make up said deficiency, by depositing additional stocks. And said law shall also provide for the recording of the names of all stockholders in such corporations, the amount of stock held by each, the time of any transfer thereof, and to whom such transfer is made.

§ 9. **Railroad Corporations.** Every railroad corporation organized or doing business in this State, under the laws or authority thereof, shall have and maintain a public office or place in this State for the transaction of its business, where transfers of stock shall be made and in which shall be kept, for public inspection, books, in which shall be recorded the amount of capital stock subscribed, and by whom; the names of the owners of its stock, and the amounts owned by them respectively; the amount of stock paid in and by whom; the transfers of said stock; the amount of its assets and liabilities, and the names and place of residence of its officers. The directors of every railroad corporation shall, annually, make a report, under oath, to the Auditor of Public Accounts, or some officer to be designated by law, of all their acts and doings, which report shall include such matters relating to railroads as may be prescribed by law. And the General Assembly shall pass laws enforcing by suitable penalties the provisions of this section.

§ 10. **Railroads — Personal Property.** The rolling stock, and all other movable property belonging to any railroad company or corporation in this State, shall be considered personal property, and shall be liable to execution and sale in the same manner as the personal property of individuals, and the General Assembly shall pass no law exempting any such property from execution and sale.

§ 11. **Railroad Consolidation.** No railroad corporation shall consolidate its stock, property or franchises with any other railroad corporation owning a parallel or competing line; and in no case shall any consolidation take place except upon public notice given, of at least 60 days, to all stockholders, in such manner as may be provided by law. A majority of the directors of any

railroad corporation, now incorporated or hereafter to be incorporated by the laws of this State, shall be citizens and residents of this State.

§ 12. **Railways as Public Highways — Regulation of Rates.** Railways heretofore constructed or that may hereafter be constructed in this State, are hereby declared public highways, and shall be free to all persons, for the transportation of their persons and property thereon, under such regulations as may be prescribed by law. And the General Assembly shall, from time to time, pass laws establishing reasonable maximum rates of charges for the transportation of passengers and freight on the different railroads in this State.

§ 13. **Railroad Stock — Bonds.** No railroad corporation shall issue any stock or bonds, except for money, labor or property, actually received, and applied to the purposes for which such corporation was created; and all stock dividends, and other fictitious increase of the capital stock or indebtedness of any such corporation, shall be void. The capital stock of no railroad corporation shall be increased for any purpose, except upon giving sixty days public notice, in such manner as may be provided by law.

§ 14. **Railroads — Eminent Domain.** The exercise of the power, and the right of eminent domain shall never be so construed or abridged as to prevent the taking by the General Assembly, of the property and franchises of incorporated companies already organized, and subjecting them to the public necessity the same as of individuals. The right of trial by jury shall be held inviolate in all trials of claims for compensation, when, in the exercise of the said right of eminent domain, any incorporated company shall be interested either for or against the exercise of said right.

§ 15. **Regulation of Freight and Passenger Rates.** The General Assembly shall pass laws to correct abuses and prevent unjust discrimination and extortion in the rates of freight and passenger tariffs on the different railroads in this State, and enforce such laws by adequate penalties, to the extent, if necessary for that purpose, of forfeiture of their property and franchises.

ARTICLE XII

MILITIA

§ 1. **Membership.** The militia of the State of Illinois shall consist of all able-bodied male persons, resident in the State, between the ages of eighteen and forty-five, except such persons as now are, or hereafter may be, exempted by the laws of the United States, or of this State.

§ 2. **Organization — Equipment — Discipline.** The General Assembly, in providing for the organization, equipment and discipline of the militia, shall conform as nearly as practicable to the regulations for the government of the armies of the United States.

§ 3. **Officers.** All militia officers shall be commissioned by the Governor, and may hold their commissions for such time as the General Assembly may provide.

§ 4. **Freedom from Arrest.** The militia shall, in all cases, except treason, felony

or breach of the peace, be privileged from arrest during their attendance at musters and elections, and in going to and returning from the same.

§ 5. **Preservation of Records.** The military records, banners and relics of the State, shall be preserved as an enduring memorial of the patriotism and valor of Illinois, and it shall be the duty of the General Assembly to provide by law for the safe-keeping of the same.

§ 6. **Conscientious Objectors.** No person having conscientious scruples against bearing arms, shall be compelled to do militia duty in time of peace: *Provided*, such person shall pay an equivalent for such exemption.

ARTICLE XIII

WAREHOUSES

§ 1. **Public Warehouses.** All elevators or storehouses where grain or other property is stored for a compensation, whether the property stored be kept separate or not, are declared to be public warehouses.

§ 2. **Warehouses — Grain — Reports.** The owner, lessee or manager of each and every public warehouse situated in any town or city of not less than one hundred thousand inhabitants, shall make weekly statements under oath, before some officer to be designated by law, and keep the same posted in some conspicuous place in the office of such warehouse, and shall also file a copy for public examination in such place as shall be designated by law, which statement shall correctly set forth the amount and grade of each and every kind of grain in such warehouse, together with such other property as may be stored therein, and what warehouse receipts have been issued, and are, at the time of making such statement, outstanding therefor; and shall, on the copy posted in the warehouse, note daily such changes as may be made in the quantity and grade of grain in such warehouse; and the different grades of grain shipped in separate lots, shall not be mixed with inferior or superior grades, without the consent of the owner or consignee thereof.

§ 3. **Right to Examine Property.** The owners of property stored in any warehouse, or holder of a receipt for the same, shall always be at liberty to examine such property stored, and all the books and records of the warehouse in regard to such property.

§ 4. **Grain Shipments — Weighing — Liability of Carrier.** All railroad companies and other common carriers on railroads shall weigh or measure grain at points where it is shipped, and receipt for the full amount, and shall be responsible for the delivery of such amount to the owner or consignee thereof, at the place of destination.

§ 5. **Railroads — Delivery of Grain.** All railroad companies receiving and transporting grain in bulk or otherwise, shall deliver the same to any consignee thereof, or any elevator or public warehouse to which it may be consigned, provided such consignee or the elevator or public warehouse can be reached by any track owned, leased or used, or which can be used, by such railroad companies; and all railroad companies shall permit connections to be made

with their track, so that any such consignee, and any public warehouse, coal bank or coal yard may be reached by the cars on said railroad.

§ 6. **Warehouse Receipts.** It shall be the duty of the General Assembly to pass all necessary laws to prevent the issue of false and fraudulent warehouse receipts, and to give full effect to this article of the constitution, which shall be liberally construed so as to protect producers and shippers. And the enumeration of the remedies herein named shall not be construed to deny to the General Assembly the power to prescribe by law such other and further remedies as may be found expedient, or to deprive any person of existing common law remedies.

§ 7. **Inspection of Grain.** The General Assembly shall pass laws for the inspection of grain, for the protection of producers, shippers and receivers of grain and produce.

ARTICLE XIV

AMENDMENTS TO THE CONSTITUTION

§ 1. **Constitutional Convention.** Whenever two-thirds of the members of each house of the General Assembly shall, by a vote entered upon the journals thereof, concur that a Convention is necessary to revise, alter or amend the constitution, the question shall be submitted to the electors at the next general election. If a majority voting at the election vote for a convention, the General Assembly shall, at the next session provide for a convention, to consist of double the number of members of the Senate, to be elected in the same manner, at the same places, and in the same districts. The General Assembly shall, in the act calling the Convention, designate the day, hour and place of its meeting, fix the pay of its members and officers, and provide for the payment of the same, together with the expenses necessarily incurred by the Convention in the performance of its duties. Before proceeding the members shall take an oath to support the Constitution of the United States, and of the State of Illinois, and to faithfully discharge their duties as members of the Convention. The qualification of members shall be the same as that of members of the Senate, and vacancies occurring shall be filled in the manner provided for filling vacancies in the General Assembly. Said Convention shall meet within three months after such election, and prepare such revision, alteration or amendments of the Constitution as shall be deemed necessary, which shall be submitted to the electors for their ratification or rejection, at an election appointed by the Convention for that purpose, not less than two nor more than six months after the adjournment thereof; and unless so submitted and approved, by a majority of the electors voting at the election, no such revision, alterations or amendments shall take effect.

§ 2. **Constitutional Amendments Proposed by Legislature**¹. Amendments to this

¹ As modified by the eighth amendment to the Constitution of 1870. The joint resolution was adopted by the Senate April 27, 1949 and concurred in by the House May 11, 1949. It was adopted by the vote of the people November 7, 1950, and proclaimed adopted November 29, 1950.

Constitution may be proposed in either House of the General Assembly, and if the same shall be voted for by two-thirds of all the members elected to each of the two houses, such proposed amendments, together with the yeas and nays of each house thereon, shall be entered in full on their respective journals, and said amendments shall be submitted to the electors of this State for adoption or rejection, at the next election of members of the General Assembly, in such manner as may be prescribed by law. Each proposed amendment shall be published in full at least three months preceding the election, and if either a majority of the electors voting at said election or two-thirds of the electors voting on any such proposed amendment shall vote for the proposed amendment, it shall become a part of this Constitution. But the General Assembly shall have no power to propose amendments to more than three articles of this Constitution at the same session, nor to the same article oftener than once in four years. The proposition for the adoption or rejection of the proposed amendment or amendments shall be printed on a separate ballot or in a separate column on the ballot as the General Assembly by law may provide and the votes thereon shall be cast by voting upon such separate ballot or in such separate column as the case may be.

SECTIONS SEPARATELY SUBMITTED¹

Illinois Central Railroad. No contract, obligation or liability whatever, of the Illinois Central Railroad Company, to pay any money into the State treasury, nor any lien of the State upon, or right to tax property of said Company, in accordance with the provisions of the charter of said company, approved February tenth, in the year of our Lord one thousand eight hundred and fifty-one, shall ever be released, suspended, modified, altered, remitted, or in any manner diminished or impaired by legislative or other authority; and all moneys derived from said company, after the payment of the State debt, shall be appropriated and set apart for the payment of the ordinary expenses of the State government, and for no other purposes whatever.

Municipal Subscriptions to Railroads or Private Corporations. No county, city, town, township, or other municipality, shall ever become subscriber to the capital stock of any railroad or private corporation, or make donation to or loan its credit in aid of, such corporation: *Provided, however,* that the adoption of this article shall not be construed as affecting the right of any municipality to make such subscriptions where the same have been authorized, under existing laws, by a vote of the people of such municipalities prior to such adoption.

Canal.² The Illinois and Michigan canal or other canal or waterway owned

¹ These sections were separately submitted to the vote of the people; they went into effect as law July 2, 1870.

² As modified by the thirteenth amendment to the Constitution of 1870. The joint resolution was adopted by the House June 26, 1953, and concurred in by the Senate June 26, 1953. It was adopted by the vote of the people November 2, 1954, and proclaimed adopted November 19, 1954.

by the State may be sold or leased upon such terms as may be prescribed by law. The General Assembly may appropriate for the operation and maintenance of canals and waterways owned by the State.

Convict Labor.¹ Hereafter it shall be unlawful for the Commissioners of any Penitentiary, or other reformatory institution in the State of Illinois, to let by contract to any person, or persons, or corporations, the labor of any convict confined within said institution.

SCHEDULE

That no inconvenience may arise from the alterations and amendments made in the constitution of this State, and to carry the same into complete effect, it is hereby ordained and declared:

§ 1. **Existing Laws Continued.** That all laws in force at the adoption of this Constitution, not inconsistent therewith, and all rights, actions, prosecutions, claims, and contracts of this State, individuals, or bodies corporate, shall continue to be as valid as if this Constitution had not been adopted.

§ 2. **Accrued Items Due State Preserved.** That all fines, taxes, penalties and forfeitures, due and owing to the State of Illinois under the present Constitution and laws, shall inure to the use of the people of the State of Illinois, under this Constitution.

§ 3. **Existing Recognizances and Bonds Preserved — Prosecutions Continued.** Recognizances, bonds, obligations, and all other instruments entered into or executed before the adoption of this constitution, to the people of the State of Illinois, to any State or County officer or public body, shall remain binding and valid; and rights and liabilities upon the same shall continue, and all crimes and misdemeanors shall be tried and punished as though no change had been made in the Constitution of this State.

§ 4. **Existing County Courts Continued.** County courts for the transaction of county business in counties not having adopted township organization, shall continue in existence, and exercise their present jurisdiction until the board of county commissioners provided in this Constitution, is organized in pursuance of an Act of the General Assembly; and the county courts in all other counties shall have the same power and jurisdiction they now possess until otherwise provided by general law.

§ 5. **Other Courts Continued.** All existing courts which are not in this Constitution specifically enumerated, shall continue in existence and exercise their present jurisdiction until otherwise provided by law.

§ 6. **Existing Offices Continued.** All persons now filling any office or appointment shall continue in the exercise of the duties thereof, according to their

¹ Added by the fourth amendment to the Constitution of 1870. The joint resolution (L. 1885, p. 256) was adopted by the Senate and concurred in by the House June 26, 1885, and adopted by the vote of the people November 6, 1886, and proclaimed adopted November 22, 1886.

respective commissions or appointments, unless by this Constitution it is otherwise directed.

(Sections 7 to 17, both inclusive, providing for the submission of this Constitution and voting thereon by the people, became inoperative by the adoption of this Constitution, and have been omitted from this reprint.)

§ 18. **English to be Official Language.** All laws of the State of Illinois, and all official writings, and the Executive, Legislative and Judicial proceedings, shall be conducted, preserved and published in no other than the English language.

§ 19. **Laws to Make Constitution Effective.** The General Assembly shall pass all laws necessary to carry into effect the provisions of this Constitution.

§ 20. **Circuit Clerks as Recorders.** The circuit clerks of the different counties having a population over sixty thousand, shall continue to be Recorders (*ex-officio*) for their respective counties, under this constitution, until the expiration of their respective terms.

§ 21. **Judges' Salaries — Cook County.** The judges of all courts of record in Cook county shall, in lieu of any salary provided for in this Constitution, receive the compensation now provided by law until the adjournment of the first session of the General Assembly after the adoption of this Constitution.

§ 22. **Circuit Court — Lake County.** The present judge of the circuit court of Cook county shall continue to hold the circuit court of Lake county until otherwise provided by law.

§ 23. **Certain Tax Discontinued.** When this constitution shall be adopted, and take effect as the supreme law of the State of Illinois, the two-mill tax provided to be annually assessed and collected upon each dollar's worth of taxable property, in addition to all other taxes, as set forth in article fifteen of the now existing constitution, shall cease to be assessed after the year of our Lord one thousand eight hundred and seventy.

§ 24. **City of Quincy — Provision Concerning.** Nothing contained in this Constitution shall be so construed as to deprive the General Assembly of power to authorize the city of Quincy to create any indebtedness for railroad or municipal purposes for which the people of said city shall have voted and to which they have have given, by such vote, their assent, prior to the thirteenth day of December, in the year of our Lord one thousand eight hundred and sixty-nine; *Provided*, that no such indebtedness, so created, shall, in any part thereof be paid by the State, or from any State revenue tax or fund, but the same shall be paid, if at all, by the said City of Quincy alone, and by taxes to be levied upon the taxable property thereof: *and provided, further*, that the General Assembly shall have no power in the premises, that it could not exercise under the present Constitution of this State.

§ 25. **Prior Constitution to Cease.** In case this Constitution, and the articles and section submitted separately, be adopted, the existing Constitution shall cease in all its provisions, and in case this Constitution be adopted, and any one or more of the articles or sections submitted separately be defeated, the provisions of the existing Constitution, if any, on the same subject shall remain in force.

§ 26. **Temporary Provisions to Take Effect.** The provisions of this Constitution required to be executed prior to the adoption or rejection thereof, shall take effect and be in force immediately.

REVIEW QUESTIONS ON THE ILLINOIS CONSTITUTION

First read the entire constitution of Illinois beginning on page 162. Then find the answers to the questions and problems by pointing out the sections of the constitution which apply to the various questions.

1. Compare the preamble of the constitution of Illinois with the preamble of the constitution of the United States and point out the words and phrases which are the same in both preambles.

2. Point out at least ten rights that are guaranteed by the Bill of Rights in the state constitution.

3. How old must a person be in order to be eligible for election as a state senator?

4. What is *perjury*? If a man were convicted of bribery or of committing perjury, would he be eligible for election as a member of the general assembly?

5. How many members are there in the state senate? In the house?

6. When does each regular session of the general assembly commence?

7. How many times must a bill be read in each house of the general assembly before a vote may be taken?

8. When does a law passed by the general assembly usually take effect?

9. In case of necessity how may the general assembly provide that a law may take effect as soon as it is signed by the governor of Illinois?

10. Can the governor appoint a state representative as a warden in a penitentiary?

11. Can the legislature issue bonds to the amount of \$1,000,000 without a vote of the people?

12. If a contractor were awarded a contract to build a bridge for the state at a certain amount and found that it cost more than that amount, could the legislature vote him an extra appropriation to make up the amount which he had lost?

13. Can the legislature pass a law changing the county seat of a certain county from one city to another?

14. If a governor commits a misdemeanor while in office, how may he be removed from office?

15. Could a farmer sue the state of Illinois for damages which he felt he had suffered by the state's locating an objectionable institution on an adjacent farm?

16. What is the term of office of the state treasurer? Can he be re-elected for another term at the close of his term of office?

17. What is the date of the general election at which we elect a governor?

18. How old must a person be in order to be eligible to run for governor?

19. If an emergency arises which requires action by the general assembly and it is not in session, how may a special session be called, and by whom?

20. How may a bill become a law without the approval of the governor?

21. If an appropriation bill contains an item for an appropriation which

the governor does not approve, can he veto that item without vetoing the whole bill?

22. If the governor leaves the state, who takes charge of his work during his absence?

23. How many judges are there in the state supreme court?

24. How many judges must agree before a decision of the state supreme court can be rendered?

25. In which supreme court district is your county located?

26. What is the length of the term of office of a judge of the circuit court?

27. What court has charge of the settlement of the estate of a deceased person?

28. Who can remove a judge from office? What vote is required for such removal?

29. What are the qualifications of a voter at an election in this state?

30. Could the general assembly provide that a portion of the taxes collected for school purpose be allotted to private church schools in the proportion that their school enrollments bear to the total enrollment of all schools in a district?

31. If a person's property is sold by the county for the collection of taxes, how long a period must he be given to redeem his property by paying the back taxes and the required penalties?

32. What is the constitutional provision regarding the amount of indebtedness which a school district may incur?

33. What vote is necessary to change a county seat: (a) farther from the center of a county; (b) nearer to the center of a county?

34. How often may a vote be taken on the removal of a county seat?

35. If a state bank fails, who is liable to its creditors?

36. Who may be called to serve on the state militia in case of necessity?

37. If an able bodied man on account of religious beliefs does not believe in bearing arms, can he be excused from serving in the state militia?

38. How does the amendment of 1950 provide for future amendments to the constitution?

39. How many amendments to the constitution may be submitted for adoption by the general assembly in any one session?

40. What amendments were adopted in the election of 1952?

41. The Illinois Central Railroad is required by its charter to pay 7% of its gross earnings each year into the state treasury instead of paying any other taxes on its property. Could the general assembly pass a law releasing that railroad from that obligation, provided it agreed to pay taxes to the state and other local governments on the value of its property?

42. If a railroad company agreed to build a branch line of its railroad to a certain city providing that city purchased \$100,000 worth of that company's stock, could the city (if authorized by a vote of the people) buy the required amount of stock?

43. The old Illinois and Michigan Canal is no longer used as a waterway. What steps would the state have to take to obtain authority to sell that canal to a private company?

44. Could the general assembly authorize the commissioners of a state penitentiary to contract with a furniture company to build all of their furniture

for them by compelling the inmates to do the work and thus enable the commissioners to reduce expenses?

45. Were laws made previous to the adoption of the constitution of 1870 nullified by the new constitution?

46. Were existing taxes to be continued after the adoption of the constitution of 1870?

47. How does the method of electing State Representatives provide minority representation?

48. How did the Reapportionment Amendment of 1954 (Article IV, Sections 6, 7, 8) provide a compromise between the interests of the Chicago area and downstate?

49. What is the *representative ratio*? How is it computed?

50. The Constitution of Illinois is about three times as long as the United States Constitution. Is this necessary? Why?

APPORTIONMENT DISTRICTS

TABLE OF COUNTIES SHOWING TO WHICH APPORTIONMENT DISTRICT EACH BELONGS

The seventeen counties marked * are not under township organization.

The other eighty-five have adopted township organization.

County	County Seat	Senato- rial District	Repre- sentative District	Congres- sional District	Judicial Circuit	Judicial-Districts	
						Appellate	Supreme
Adams	Quincy	36	49	20	8	3	4
*Alexander ..	Cairo	50	58	21	1	4	1
Bond	Greenville ...	38	55	23	3	4	2
Boone	Belvidere	52	32	12	17	2	6
Brown	Mt. Sterling ..	43	50	20	8	3	4
Bureau	Princeton	37	40	18	13	2	5
*Calhoun	Hardin	36	49	20	8	3	2
Carroll	Mt. Carroll ...	56	34	16	15	2	6
Cass	Virginia	45	46	20	8	3	4
Champaign ..	Urbana	24	44	22	6	3	3
Christian ...	Taylorville ...	40	52	23	4	3	2
Clark	Marshall	34	51	23	5	3	2
Clay	Louisville ...	42	56	23	4	4	2
Clinton	Carlyle	42	55	23	4	4	1
Coles	Charleston ...	34	51	23	5	3	3
Cook	Chicago	A	B	C	D	1	7
Crawford ...	Robinson	48	51	23	2	4	2
Cumberland .	Toledo	34	51	23	5	3	2
DeKalb	Sycamore	35	32	15	16	2	6
DeWitt	Clinton	28	42	22	6	3	3
Douglas	Tuscola	34	51	22	6	3	3
DuPage	Wheaton	41	36	10, 14	16	2	7
Edgar	Paris	22	51	23	5	3	3
*Edwards	Albion	46	56	23	2	4	1
Effingham ..	Effingham ...	42	55	23	4	4	2
Fayette	Vandalia	40	55	23	4	4	2
Ford	Paxton	26	41	17	11	3	3
Franklin	Benton	55	57	21	2	4	1
Fulton	Lewistown ...	43	46	19	9	3	4
Gallatin	Shawneetown	55	59	21	2	4	1
Greene	Carrollton ...	47	49	20	7	3	2
Grundy	Morris	58	38	15	13	2	5
Hamilton ...	McLeansboro	55	59	21	2	4	1
Hancock	Carthage	32	50	20	9	3	4
*Hardin	Elizabethtown	51	59	21	2	4	1
Henderson ..	Oquawka	57	50	19	9	2	4
Henry	Cambridge ...	37	40	19	14	2	5
Iroquois	Watseka	20	45	17	12	2	3
Jackson	Murphysboro	44	58	21	1	4	1
Jasper	Newton	48	56	23	4	4	2
Jefferson	Mt. Vernon ...	46	57	21	2	4	1
Jersey	Jerseyville ...	47	52	20	7	3	2
JoDaviess ...	Galena	56	34	16	15	2	6
*Johnson	Vienna	51	59	21	1	4	1
Kane	Geneva	58	35	15	16	2	6

A. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 19, 21, 23, 25, 27, 29, 31 and 33.

B. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and 30.

C. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13.

D. Not numbered.

APPORTIONMENT DISTRICTS — Concluded

County	County Seat	Senato- rial District	Repre- sentative District	Congres- sional District	Judicial Circuit	Judicial-Districts	
						Appellate	Supreme
Kankakee ..	Kankakee ...	20	41	17	12	2	7
Kendall	Yorkville	58	38	15	16	2	6
Knox	Galesburg ...	57	50	19	9	2	5
Lake	Waukegan ...	52	31	12	19	2	7
LaSalle	Ottawa	39	38	15	13	2	5
Lawrence ...	Lawrenceville	48	56	23	2	4	2
Lee	Dixon	35	40	18	15	2	6
Livingston ..	Pontiac	16	41	17	11	2	3
Logan	Lincoln	28	47	22	11	3	3
Macon	Decatur	28	47	22	6	3	3
Macoupin ...	Carlinville ..	38	52	20	7	3	2
Madison	Edwardsville	47	53	24	3	4	2
Marion	Salem	42	55	23	4	4	2
Marshall ...	Lacon	18	42	18	10	2	5
Mason	Havana	30	46	22	8	3	4
*Massac	Metropolis ..	51	59	21	1	4	1
McDonough ..	Macomb	32	50	20	9	3	4
McHenry ...	Woodstock ..	52	32	12	19	2	6
McLean	Bloomington .	26	42	17	11	3	3
*Menard	Petersburg ..	30	47	22	8	3	4
Mercer	Aledo	53	39	19	14	2	4
*Monroe	Waterloo	44	58	21	20	4	1
Montgomery	Hillsboro	38	52	23	4	3	2
*Morgan	Jacksonville .	45	49	20	7	3	4
Moultrie	Sullivan	24	44	22	6	3	3
Ogle	Oregon	54	32	16	15	2	6
Peoria	Peoria	18	43	18	10	2	5
*Perry	Pickneyville .	49	57	21	20	4	1
Piatt	Monticello ..	24	44	22	6	3	3
Pike	Pittsfield	36	49	20	8	3	2
*Pope	Golconda	51	59	21	1	4	1
*Pulaski	Mound City ..	50	58	21	1	4	1
Putnam	Hennepin	39	42	18	10	2	5
*Randolph ...	Chester	44	58	21	20	4	1
Richland ...	Olney	48	56	23	2	4	2
Rock Island	Rock Island .	53	39	19	14	2	4
Saline	Harrisburg ..	51	59	21	1	4	1
Sangamon ..	Springfield ..	45	48	20	7	3	3
Schuyler	Rushville	43	50	20	8	3	4
*Scott	Winchester ..	36	49	20	7	3	2
Shelby	Shelbyville ..	40	52	23	4	3	2
Stark	Toulon	18	40	18	10	2	5
St. Clair	Belleville ...	49	54	24	20	4	1
Stephenson .	Freeport	56	34	16	15	2	6
Tazewell ...	Pekin	30	46	18	10	3	3
*Union	Jonesboro ...	50	58	21	1	4	1
Vermilion ..	Danville	22	45	17	5	3	3
*Wabash	Mt. Carmel ..	46	56	23	2	4	1
Warren	Monmouth ...	57	50	19	9	2	4
Washington	Nashville	49	57	23	20	4	1
Wayne	Fairfield	46	56	23	2	4	1
White	Carmi	55	56	21	2	4	1
Whiteside ..	Morrison	53	34	16	14	2	6
Will	Joliet	41	37	14	12	2	7
*Williamson .	Marion	50	59	21	1	4	1
Winnebago ..	Rockford	54	33	16	17	2	6
Woodford ..	Eureka	16	42	17	11	2	5

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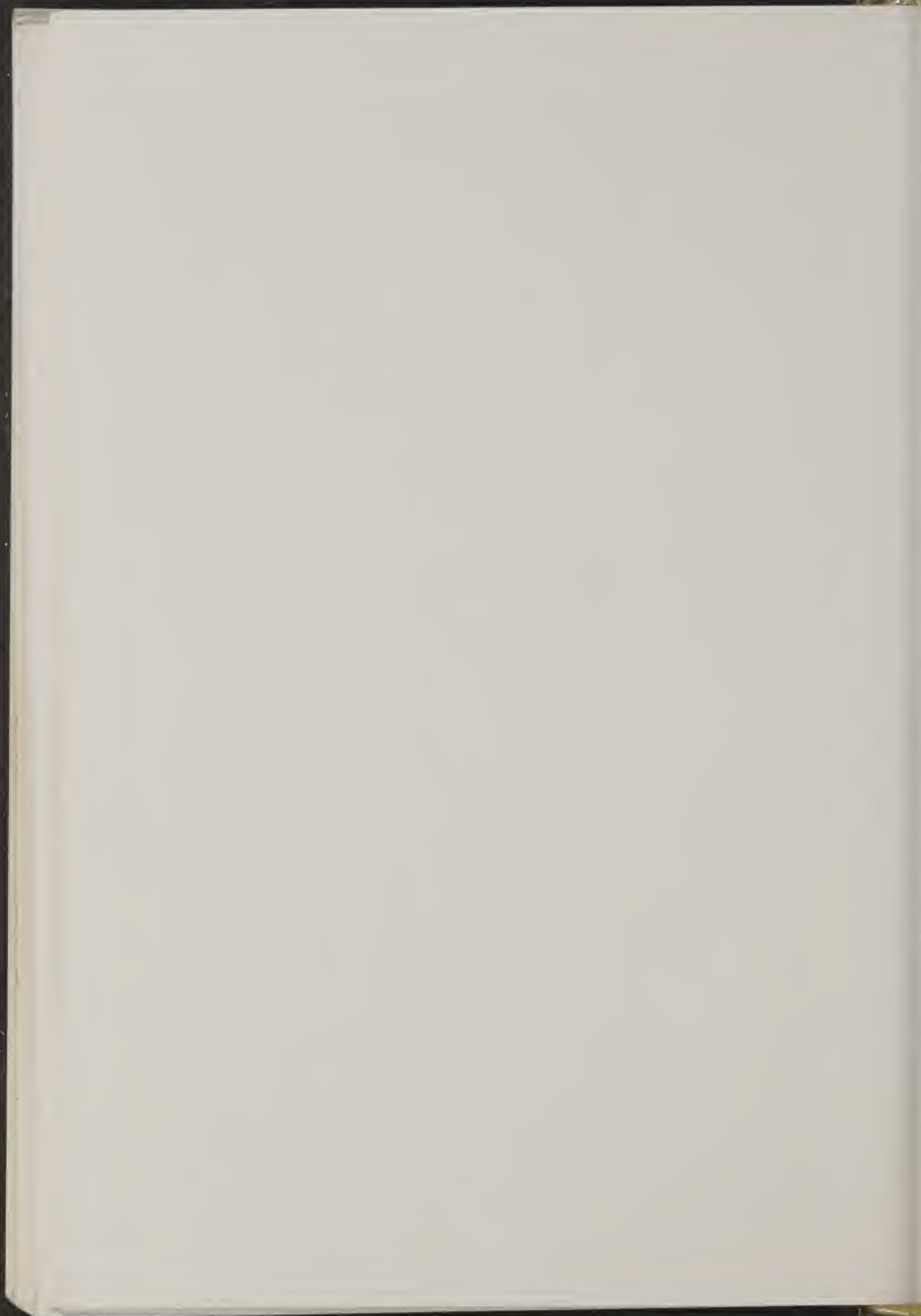
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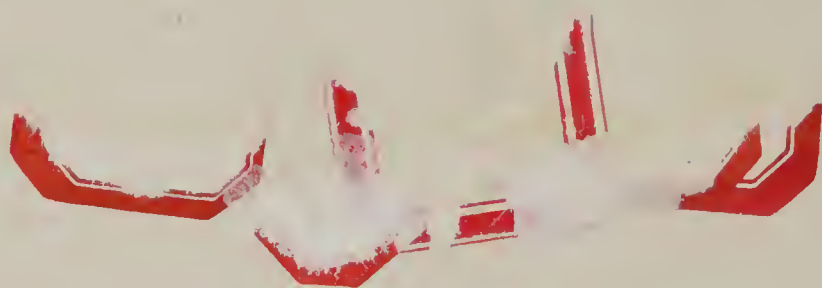




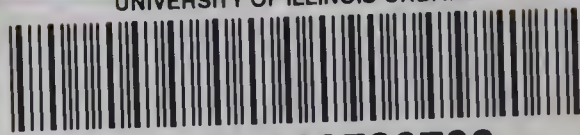




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